

1

2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

-----X

4 NELSON QUINTANILLA, ALEJANDRO AMAYA,
5 ALEX AMIR AREVALO, MAYNOR FAJARDO,
6 WALTER GARCIA, JOSE L. MARTINEZ, PRACELIS
7 MENDEZ, OSMAR W. PAGOADA, JAVIER QUINTANILLA,
8 EDWIN RIVERA, CARLOS ESCALANTE, KEVIN
9 GALEANO, LERLY NOE RODRIGUEZ, JOSE VEGA
10 CASTILLO, JUAN QUINTEROS, and MARCUS TULIO
11 PEREZ,

12 Plaintiffs,

13

14 -against-

Case No:
09-CV-5331

15 SUFFOLK PAVING CORP., SUFFOLK ASPHALT CORP.,
16 LOUIS VECCHIA, CHRISTOPHER VECCHIA,
17 HELENE VECCHIA, and JOHN DOES 1-5,

18 Defendants.

-----X

19 October 11, 2011
20 11:40 a.m.

21 4875 Sunrise Highway
22 Bohemia, New York

23 EXAMINATION BEFORE TRIAL of JUAN

24 QUINTEROS, one of the Plaintiffs herein,
25 taken by the Defendants, pursuant to Article
31 of the Civil Practice Law and Rules of
Testimony, and Notice and order, held at the
above-mentioned time and place, before Karen
LaMendola, a Professional Court Reporter and
Notary Public of the State of New York.

1

2 A P P E A R A N C E S:

3

4 LAW OFFICES OF LAUREN GOLDBERG, PLLC
5 Attorneys for Plaintiffs
6 501 Fifth Avenue
7 New York, New York 10017

6

(NOT PRESENT)

7

8

9 LAW OFFICES OF PATRICK E. McNAMARA
10 Co-Counsel for Plaintiffs
11 868 Little East Neck Road
12 West Babylon, New York 11704

10

11 BY: PATRICK E. McNAMARA, ESQ.

12

13

14 LAW OFFICES OF IAN WALLACE
15 Co-Counsel for Plaintiffs
16 501 Fifth Avenue
17 New York, New York 10017

15

(NOT PRESENT)

16

17

18 ZABELL & ASSOCIATES, P.C.
19 Attorneys for Defendants
20 4875 Sunrise Highway
21 Bohemia, New York 11716

19

20 BY: SAUL ZABELL, ESQ.

21

22

23 ALSO PRESENT:

24 Margarita Arias, Interpreter
25 Louis Vecchia

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED
by and between the attorneys for the
respective parties herein, that filing,
sealing and certification be and the same are
hereby waived.

IT IS FURTHER STIPULATED AND AGREED
that all objections, except as to the form of
the question shall be reserved to the time of
the trial.

IT IS FURTHER STIPULATED AND AGREED
that the within deposition may be signed and
sworn to before any officer authorized to
administer an oath, with the same force and
effect as if signed and sworn to before the
Court.

1

2 M A R G A R I T A A R I A S, the Spanish
3 Interpreter herein, was duly sworn to
4 interpret the questions from English
5 into Spanish and the answers from
6 Spanish into English to the best of
7 her ability:

8 J U A N Q U I N T E R O S, the Witness
9 herein, having been duly sworn through
10 the Interpreter, was examined and
11 testified as follows:

12 EXAMINATION BY

13 MR. ZABELL:

14 Q Would you please state your full
15 name for the record.

16 A Juan Quinteros.

17 Q What is your current address?

18 A 180 Elliot Street, Brentwood,
19 New York 11717.

20 Q Good morning, Mr. Quinteros.

21 How are you today?

00:00:10

22 A Good.

00:00:12

23 Q You're good?

00:00:13

24 A Yes.

00:00:13

25 Q Do you speak English?

00:00:13

1 J. Quinteros

2 A A little bit. 00:00:14

3 Q Don't speak English today. 00:00:14

4 A Okay. 00:00:14

5 Q We brought an interpreter just 00:00:19

6 so you will understand the questions I ask 00:00:20

7 you and can't make any excuses that you don't 00:00:21

8 understand the questions I ask you. 00:00:21

9 Do you understand? 00:00:30

10 A Okay. 00:00:30

11 Q No excuses; okay? 00:00:31

12 A (No verbal response.) 00:00:31

13 Q Okay? 00:00:36

14 A Okay. 00:00:36

15 Q You understand that you are here 00:00:37

16 at a deposition today; do you not? 00:00:40

17 A Yes. 00:00:45

18 Q At this deposition, I'm going to 00:00:45

19 be asking you questions. 00:00:50

20 Do you understand that? 00:00:52

21 A Yes. 00:00:53

22 Q You're required to provide 00:00:54

23 answers to the questions I ask you. 00:00:58

24 Do you understand that? 00:01:01

25 A Yes. 00:01:02

1 J. Quinteros

2 Q Even if you don't like the 00:01:02
3 answers or you feel threatened by those 00:01:06
4 answers. 00:01:06

5 Do you understand that? 00:01:12

6 A It depends on what you ask. 00:01:14

7 Q No, it doesn't depend on what I 00:01:17
8 ask. Every question I ask you, you have to 00:01:20
9 answer honestly. 00:01:27

10 A Yes, but I won't answer what I 00:01:27
11 don't know. 00:01:33

12 Q You can't answer what you don't 00:01:33
13 know; correct? 00:01:36

14 A Excuse me? 00:01:39

15 Q You can't answer what you don't 00:01:41
16 know; right? 00:01:45

17 A Yes. 00:01:46

18 Q Did you take any prescription 00:01:48
19 medications today? 00:02:07

20 A No. 00:02:08

21 Q Did you take any 00:02:08
22 over-the-counter medications today? 00:02:11

23 A No. 00:02:13

24 Q Any drugs or alcohol? 00:02:14

25 A No. 00:02:16

1 J. Quinteros

2 Q Can you think of any reason why 00:02:18
3 your ability to give truthful testimony today 00:02:23
4 would be impaired? 00:02:23

5 A I don't understand. 00:02:26

6 Q Can you think of any reason why 00:02:26
7 you can't testify truthful today? 00:02:29

8 A (No verbal response.) 00:02:33

9 MR. ZABELL: This is going to be 00:02:45
10 a long day. 00:02:47

11 A Repeat again? 00:02:49

12 Q No, just answer the question. 00:02:50
13 Stop playing games. 00:02:53

14 A I'm not playing. I don't 00:02:53
15 understand. 00:02:57

16 Q Really? 00:02:57

17 MR. McNAMARA: Objection. 00:02:58

18 Q What don't you understand? 00:03:01

19 A What you're asking. 00:03:03

20 Q Can you think of any reason why 00:03:05
21 you can't testify truthful today? 00:03:08

22 A (No verbal response.) 00:03:21

23 Q Are you still with us? 00:03:27

24 A Yes, but I don't understand the 00:03:29
25 question. 00:03:34

1 J. Quinteros

2 Q What is it that you don't 00:03:35
3 understand? Speak to me, and maybe I can 00:03:38
4 help you understand it. 00:03:43

5 A Can you repeat it again? 00:03:45

6 Q Again? 00:03:53

7 A Yes. 00:03:54

8 Q Can you think of any reason why 00:03:55
9 you can't testify truthfully today? 00:04:01

10 A No. 00:04:09

11 Q Very good. Did you prepare for 00:04:11
12 this deposition in any way? 00:04:21

13 A No. 00:04:23

14 Q Did you meet with your attorney 00:04:24
15 before coming here to testify? 00:04:27

16 A Yes. 00:04:29

17 Q When did you meet with your 00:04:29
18 attorney? 00:04:32

19 A I don't recall. 00:04:32

20 Q Was it a week ago? 00:04:37

21 A Two weeks, I think. 00:04:39

22 Q So you do recall. 00:04:46

23 Were you alone, or were you with 00:04:51
24 somebody at that meeting? 00:04:55

25 MR. McNAMARA: Objection. 00:04:57

1 J. Quinteros

2 A Yes, with my attorney. 00:05:00

3 Q Was anybody else present? 00:05:03

4 A Yes. 00:05:07

5 Q Who else was present? 00:05:08

6 MR. McNAMARA: Objection. 00:05:14

7 A There was -- there was -- 00:05:15

8 Q There was who? 00:05:21

9 A (No verbal response.) 00:05:23

10 Q Who? 00:05:29

11 A (No verbal response.) 00:05:30

12 Q Who? 00:05:40

13 A (No verbal response.) 00:05:42

14 Q Who? 00:05:50

15 MR. ZABELL: Patrick, can you 00:05:50

16 speak to your client? He's just 00:05:52

17 staring at the interpreter as if he 00:05:56

18 doesn't know what to say. 00:05:56

19 MR. McNAMARA: Well, I've 00:05:58

20 objected to the questions, but... 00:06:00

21 Madame Interpreter, would you 00:06:01

22 please explain to the witness that he 00:06:02

23 is required to answer the question? 00:06:04

24 A Is that necessary? 00:06:11

25 Q Absolutely. 00:06:14

1 J. Quinteros

2 A (No verbal response.) 00:06:19

3 Q Your attorney said it. Answer. 00:06:23

4 A There was Carlos. 00:06:28

5 Q Carlos who? 00:06:43

6 A I don't know his last name. 00:06:46

7 Q Escalante? 00:06:50

8 A I think so. 00:06:52

9 Q Continue. 00:06:59

10 A Javier. 00:07:00

11 Q Quintanilla? 00:07:03

12 A Yes. 00:07:04

13 Q Who else? 00:07:05

14 A Kevin. 00:07:10

15 Q Kevin Galeano? 00:07:22

16 A Yes. 00:07:26

17 Q Who else? 00:07:27

18 A Osmar. 00:07:33

19 Q Osmar Pagoada? 00:07:50

20 A Yes. I only remember them. 00:07:53

21 Q Why was that so difficult to 00:08:04

22 tell me? 00:08:08

23 A (No verbal response.) 00:08:09

24 Q Answer the question. 00:08:12

25 A I didn't remember all of their 00:08:15

1 J. Quinteros

2 names. 00:08:21

3 Q But you remembered some of their 00:08:21

4 names. You just didn't want to provide me 00:08:25

5 with an answer. 00:08:30

6 MR. McNAMARA: Objection. 00:08:30

7 Q Why is that? 00:08:31

8 A I don't remember. 00:08:32

9 Q So are you trying to hide 00:08:34

10 information from me? 00:08:38

11 MR. McNAMARA: Objection. 00:08:39

12 A No. 00:08:39

13 Q Did you review any documents 00:08:39

14 when you met with your attorney? 00:08:43

15 MR. McNAMARA: Objection. 00:08:45

16 A No. 00:08:48

17 Q Who drove you in to see your 00:08:50

18 attorney? 00:09:00

19 MR. McNAMARA: Objection. 00:09:00

20 A (No verbal response.) 00:09:06

21 Q Hello. Who drove you? 00:09:12

22 A (No verbal response.) 00:09:23

23 Q What's the problem here? How 00:09:24

24 come you're not answering? 00:09:29

25 A (No verbal response.) 00:09:31

1 J. Quinteros

2 Q Answer the question now. 00:09:38

3 A (No verbal response.) 00:09:43

4 Q Are you thinking? 00:10:00

5 A (No verbal response.) 00:10:03

6 MR. ZABELL: You know what? 00:10:14

7 Here's what we're going to do. We're 00:10:14

8 going to go off the record, but first, 00:10:14

9 Patrick, you're going to step outside 00:10:14

10 with him and Madame Interpreter. 00:10:14

11 You're going to instruct him on 00:10:36

12 whatever you feel is most appropriate 00:10:37

13 to do, but if he just looks at us with 00:10:39

14 a blank slate all day, it's going to be 00:10:41

15 a problem. He's going to end up 00:10:42

16 missing another day of work, and I'm 00:10:44

17 going to have to call the Court for 00:10:47

18 additional assistance; okay? 00:10:52

19 MR. McNAMARA: Okay. 00:10:57

20 MR. ZABELL: How about that? 00:11:01

21 MR. McNAMARA: That's fine. 00:11:06

22 MR. ZABELL: Sound reasonable?

23 MR. McNAMARA: That's

24 reasonable.

25 MR. ZABELL: Benevolent?

1 J. Quinteros

2 MR. McNAMARA: Sure.

3 MR. ZABELL: Thank you. Go.

4 (Whereupon, a recess was taken

5 from 11:52 a.m. to 12:04 p.m.) 00:13:56

6 Q Juan, we just took a break; did 00:13:56

7 we not? 00:23:46

8 A Yes. 00:23:47

9 (Whereupon, Louis Vecchia 00:23:47

10 entered the room.) 00:23:48

11 Q During that break, everybody 00:23:48

12 spoke to you and told you that you have to 00:23:53

13 answer my questions; right? 00:23:55

14 MR. McNAMARA: Objection. 00:23:58

15 A Yes. 00:23:59

16 Q No more blank stares; right? 00:23:59

17 A Okay, that's fine. 00:24:03

18 Q Okay? 00:24:04

19 A That's fine. 00:24:05

20 Q Are we clear? 00:24:07

21 A Yes. 00:24:10

22 Q How would you characterize your 00:24:11

23 memory; good, bad, medium? 00:24:20

24 A I think bad. 00:24:22

25 Q I think so too. Has it always 00:24:23

1 J. Quinteros

2 been bad? 00:24:31

3 A Yes, always. 00:24:33

4 Q Did you bang your head as a 00:24:35

5 child? 00:24:39

6 A Yes. 00:24:40

7 Q How old were you? 00:24:42

8 A About ten. 00:24:48

9 Q What happened? 00:24:50

10 A I fell from a tree. 00:24:53

11 Q Were you hospitalized? 00:25:00

12 A Yes. 00:25:05

13 Q For how long? 00:25:05

14 A I don't recall. 00:25:10

15 Q Is it fair to say that you don't 00:25:12

16 have a good memory at all? 00:25:12

17 MR. McNAMARA: Objection. 00:25:27

18 A (No verbal response.) 00:25:27

19 Q You know you have to answer; 00:25:30

20 right? 00:25:32

21 A What was that? 00:25:32

22 Q Is it fair to say that you don't 00:25:33

23 have a good memory at all? 00:25:38

24 A Yes. 00:25:41

25 Q When you met with your attorney 00:25:41

1 J. Quinteros

2 in the City with Carlos, Javier, Kevin, and 00:25:41

3 Osmar, who drove? 00:25:53

4 MR. McNAMARA: Objection. 00:25:54

5 A (No verbal response.) 00:26:01

6 Q Who drove? 00:26:03

7 A (No verbal response.) 00:26:10

8 Q Are you thinking of the answer? 00:26:17

9 A We were each in our own car. 00:26:22

10 Q So you drove your own car? 00:26:29

11 A Yes. 00:26:31

12 Q Who organized that meeting? 00:26:32

13 MR. McNAMARA: Objection. 00:26:37

14 A (No verbal response.) 00:26:40

15 Q Who called you up and said, we 00:26:43

16 need to go to the lawyer? 00:26:46

17 MR. McNAMARA: Objection. 00:26:48

18 A (No verbal response.) 00:26:50

19 Q You have to answer the question. 00:26:53

20 A I don't recall who called me. 00:27:06

21 Q This was two weeks ago. 00:27:14

22 MR. McNAMARA: Objection. 00:27:17

23 Q Why don't you remember? 00:27:18

24 A I don't remember. 00:27:21

25 Q Do you remember anything that 00:27:22

1 J. Quinteros

2 happened two weeks ago? 00:27:25

3 A Some things. 00:27:29

4 Q What do you remember that 00:27:35

5 happened two weeks ago? 00:27:38

6 A I went to see a soccer game. 00:27:45

7 Q Do you remember anything that 00:27:50

8 happened more than two weeks ago? 00:27:55

9 A Excuse me? 00:27:58

10 Q Do you remember anything at all 00:28:01

11 that happened more than two weeks ago? 00:28:04

12 A (No verbal response.) 00:28:09

13 Q No? 00:28:13

14 A Some things. 00:28:14

15 Q What? 00:28:15

16 A You said before two weeks? 00:28:16

17 Q Yes. 00:28:26

18 A I told you that I went to the 00:28:28

19 field to see the soccer game. 00:28:54

20 Q That's all you remember from two 00:28:56

21 weeks back and more? 00:28:59

22 A That I went to do the wash. 00:29:01

23 Q You can continue. 00:29:12

24 A I went shopping. I spoke with 00:29:17

25 my mother. That's the only things I 00:29:37

1 J. Quinteros

2 remember. 00:29:46

3 Q Those are the only things you 00:29:47

4 remember from more than two weeks ago; 00:29:50

5 correct? I want to make sure you're giving 00:29:57

6 me a complete answer. 00:30:04

7 A (No verbal response.) 00:30:08

8 Q Correct? 00:30:17

9 A Yes. 00:30:18

10 Q Did a doctor ever tell you that 00:30:19

11 when you fell, it affected your memory? 00:30:26

12 A I don't recall. 00:30:31

13 Q What is your country of origin? 00:30:37

14 A El Salvador. 00:30:46

15 Q When did you come from 00:30:49

16 El Salvador; do you remember? 00:30:51

17 A 2008, I think. 00:31:03

18 Q You're not sure when you came? 00:31:07

19 A I was confused. In -- in '98. 00:31:17


20 Q There's a big difference between 00:31:31

21 1998 and 2008. 00:31:36

22 A I was confused. 00:31:38

23 Q Are you still confused? 00:31:40

24 A No, I came in '98. 00:31:44

25 Q  00:31:48

1 J. Quinteros

2 MR. McNAMARA: Objection. 00:31:52

3 A (No verbal response.) 00:31:56

4 Q You can answer. 00:31:58

5 A (No verbal response.) 00:32:05

6 Q I'm waiting for an answer. 00:32:07

7 A (No verbal response.) 00:32:31

8 Q Are you thinking of the answer? 00:32:44


9 A I'm not going to answer that. 00:32:48

10 Q You don't have a choice, sir, 00:32:55

11 you have to answer that. Your lawyer will 00:32:59

12 tell you that you have to answer it. 00:33:12

13 A (No verbal response.) 00:33:16

14 Q  00:33:16

15 MR. McNAMARA: Objection. 00:33:19

16 Q Yes or no? 00:33:21

17 A I'm not going to answer that. 00:33:24

18 Q You understand that you're 00:33:26

19 represented by an attorney here today; do you 00:33:28

20 not? 00:33:35

21 A Yes. 00:33:35

22 Q Who is your attorney? Please 00:33:36

23 point to him. 00:33:41

24 A He is (indicating). 00:33:42

25 Q Point. 00:33:43

1 J. Quinteros

2 A He is (indicating.) 00:33:44

3 MR. ZABELL: Let the record 00:33:46

4 reflect that Mr. Quinteros tentatively 00:33:46

5 pointed to Patrick. 00:33:53

6 Patrick, is that a fair 00:33:53

7 representation? 00:33:55

8 MR. McNAMARA: I don't think his 00:33:55

9 point was tentative, but otherwise, 00:33:58

10 yes. 00:33:59

11 Q You understand that your 00:33:59

12 attorney's role here is to protect any rights 00:34:02

13 you might have; correct? 00:34:07

14 A Yes. 00:34:11

15 Q You met him before today; right? 00:34:11

16 A No. 00:34:15

17 Q You just met him here today? 00:34:18

18 MR. McNAMARA: Objection. 00:34:22

19 A (No verbal response.) 00:34:25

20 Q Yes or no? 00:34:29

21 A (No verbal response.) 00:34:31

22 Q Yes or no? 00:34:38

23 A (No verbal response.) 00:34:40

24 Q Are you thinking of the answer, 00:34:42

25 sir? 00:34:48

1 J. Quinteros

2 A (No verbal response.) 00:34:48

3 Q Mr. Quinteros, you're going to 00:35:02

4 come back for many, many days until you start 00:35:06

5 answering some of these questions. 00:35:12

6 Do you understand that? 00:35:15

7 A Yes. 00:35:16

8 Q Are you not feeling well today? 00:35:17

9 A I'm fine. 00:35:21

10 Q Then why you are not answering 00:35:24

11 my questions? 00:35:27

12 A I am answering. 00:35:29

13 Q [REDACTED] 00:35:39

14 MR. McNAMARA: Objection. 00:35:43

15 A [REDACTED] 00:35:49

16 [REDACTED] 00:35:54

17 Q Yes, we are. You will speak 00:35:55

18 until your lawyer directs you not to speak. 00:36:00

19 Now answer my question. 00:36:05

20 A (No verbal response.) 00:36:09

21 Q Answer my question now. 00:36:10

22 A (No verbal response.) 00:36:16

23 MR. ZABELL: Let the record 00:36:16

24 reflect that it's now thirty seconds 00:36:53

25 since I've asked that question. 00:36:57

1 J. Quinteros

2 Let the record reflect that it's 00:37:07
3 now forty-five seconds since I've asked 00:37:10
4 that question. 00:37:14

5 Let the record further reflect 00:37:19
6 one full minute has gone by since I 00:37:21
7 asked that question, and there has been 00:37:26
8 no response.

9 MR. McNAMARA: Counselor, I'd
10 like to take a break and speak to my
11 client.

12 MR. ZABELL: After he answers
13 the question. You can direct him on 00:37:31
14 the record, but please note that it's 00:37:32
15 now one minute and fifteen seconds 00:37:36
16 since I've asked that question. You 00:37:41
17 can direct him on the record. 00:37:42

18 MR. McNAMARA: Mr. Quinteros, if 00:37:43
19 you would please, please provide an 00:37:45
20 answer, and after you answer the 00:37:45
21 question, we're going to take a break. 00:37:50

22 MR. ZABELL: Let the record 00:37:50
23 reflect that one-and-a-half minutes 00:37:54
24 have now gone by. 00:37:56

25 MR. McNAMARA: The question was: 00:37:56

1 J. Quinteros

2 [REDACTED] 00:37:58

3 THE WITNESS: [REDACTED]. 00:38:04

4 MR. ZABELL: Let the record 00:38:04

5 reflect that at the 00:38:07

6 one-minute-and-forty-five-second mark, 00:38:07

7 we have an answer. 00:38:14

8 Your attorney would now like to 00:38:15

9 take a break with you. I suspect he's 00:38:18

10 going to advise you to answer the 00:38:22

11 questions that I ask you. I'm going to 00:38:25

12 encourage you to step outside of this 00:38:31

13 room and listen to him. 00:38:33

14 As a courtesy, I am going to 00:38:35

15 provide the services of Madame 00:38:39

16 Interpreter. You are strongly 00:38:44

17 encouraged to use those services. Now 00:38:46

18 take your leave of me, please. 00:38:53

19 (Whereupon, a recess was taken 00:38:53

20 from 12:20 p.m. to 12:24 p.m.) 00:42:45

21 Q Are you ready? 00:42:45

22 A Yes. 00:42:46

23 Q Would you prefer to be out 00:42:47

24 working today? 00:42:53

25 A (No verbal response.) 00:42:55

1 J. Quinteros

2 Q Are you thinking about it? 00:43:03

3 I just saw you have a whole 00:43:11

4 conversation in English with Louie, so I know 00:43:15

5 you know what I'm asking you. 00:43:19

6 A I understand a little. 00:43:21

7 Q Yes, sure. 00:43:23

8 A A little. A few things about 00:43:26

9 work. 00:43:28

10 Q When he said we miss you today, 00:43:29

11 you laughed and agreed. We all heard you. 00:43:32

12 You said, I know; right? 00:43:43

13 A We work a lot. 00:43:45

14 Q Would this go better if Louie 00:44:08

15 was asking the questions? 00:44:11

16 MR. McNAMARA: Objection. 00:44:14

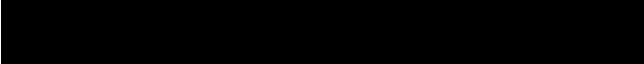
17 A Whoever wants to ask them. 00:44:14

18 Q I'm going to ask them, but you 00:44:19

19 have to answer my questions. 00:44:24

20 Do you know what a train is? 00:44:28

21 A Yes. 00:44:35

22 Q  00:44:36

23 MR. McNAMARA: Objection. 00:44:41

24 I'm going to instruct the 00:44:42

25 witness not to answer this. These 00:44:46

1 J. Quinteros

2 kinds of questions clearly deal with 00:44:48
3 the protective order. 00:44:48

4 MR. ZABELL: No, they don't. 00:44:51

5 MR. McNAMARA: Yes, they do. 00:44:52

6 MR. ZABELL: I'm not trying to 00:44:52
7 find out his immigration status. 00:44:52

8 MR. McNAMARA: You're trying to 00:44:52
9 find out how he came to the country. 00:44:53
10 That directly leads to his immigration 00:44:53
11 status. 00:44:55

12 MR. ZABELL: No, because how he 00:44:55
13 came to the country over ten years ago 00:44:57
14 has no -- especially, where he came 00:45:00
15 from -- it has absolutely nothing -- 00:45:01

16 MR. McNAMARA: It has a bearing 00:45:04
17 on what his immigration status once may 00:45:07
18 have been, and also then -- 00:45:08

19 MR. ZABELL: Patrick, Patrick, 00:45:10
20 no. Actually, if he's coming from 00:45:11
21 where he came from, and if he's been in 00:45:13
22 the country for ten years, he's here 00:45:15
23 legally now. 00:45:17

24 MR. McNAMARA: Well, I'm 00:45:19
25 disagreeing with you, and I'm not 00:45:19

1 J. Quinteros

2 permitting him to answer the question. 00:45:22

3 MR. ZABELL: Are you saying he's 00:45:22

4 not here legally? 00:45:24

5 MR. McNAMARA: No. I'm 00:45:25

6 disagreeing that it's an appropriate 00:45:29

7 question for him to answer. 00:45:29

8 Q [REDACTED] 00:45:31

9 [REDACTED] 00:45:35

10 [REDACTED] 00:45:41

11 MR. McNAMARA: Objection. 00:45:42

12 Q You can answer. 00:45:43

13 A [REDACTED] 00:45:45

14 Q [REDACTED] 00:45:47

15 MR. McNAMARA: Objection. 00:45:50

16 I'm directing the witness not to 00:45:52

17 answer. 00:45:54

18 Q [REDACTED] 00:45:54

19 MR. McNAMARA: Objection. 00:45:57

20 Q You can answer. 00:46:00

21 A My attorney says no. 00:46:02

22 Q No, your attorney doesn't say 00:46:06

23 no. 00:46:09

24 MR. McNAMARA: [REDACTED] 00:46:09

25 [REDACTED] 00:46:12

1 J. Quinteros

2 [REDACTED] 00:46:15

3 A [REDACTED] 00:46:16

4 [REDACTED] [REDACTED] 00:46:20

5 [REDACTED] 00:46:25

6 Q [REDACTED] :46:28

7 [REDACTED] 00:46:31

8 MR. McNAMARA: Objection. 00:46:33

9 A I drove when I got my license. 00:46:35

10 Q [REDACTED] 00:46:45

11 [REDACTED] 00:46:48

12 MR. McNAMARA: Objection. 00:46:52

13 MR. ZABELL: Just let him 00:46:54

14 answer, and I'll move it on from there. 00:46:57

15 MR. McNAMARA: Okay. 00:47:00

16 A [REDACTED] 00:47:02

17 [REDACTED] 00:47:07

18 Q [REDACTED] 00:47:11

19 [REDACTED] 00:47:15

20 MR. McNAMARA: Objection. 00:47:15

21 A My attorney doesn't want me to 00:47:18

22 answer. 00:47:18

23 Q No, no. When your attorney 00:47:22

24 doesn't want you to answer, he'll put his 00:47:25

25 hand on your shoulder and say, don't answer. 00:47:26

1 J. Quinteros

2 Stop playing that game, and give me an 00:47:33
3 answer, unless you don't remember how you got 00:47:37
4 here. 00:47:43

5 MR. McNAMARA: Objection. 00:47:43

6 A [REDACTED] 00:47:47

7 Q You don't know because you don't 00:47:53
8 remember? 00:47:56

9 MR. McNAMARA: Objection. 00:47:57

10 A [REDACTED] 00:47:59

11 [REDACTED] 00:48:05

12 Q Do you not remember because your 00:48:07
13 memory is pretty bad? 00:48:10

14 A Yes. 00:48:12

15 Q When was the last time you were 00:48:12
16 in El Salvador? 00:48:16

17 MR. McNAMARA: Objection. 00:48:19

18 A When I lived there. 00:48:20

19 Q And when did you live there? 00:48:26

20 A From when I was born, until I 00:48:29
21 came here. 00:48:35

22 Q And you never went back? 00:48:35

23 A No. 00:48:37

24 Q [REDACTED] 00:48:38

25 [REDACTED] 00:48:41

1 J. Quinteros

2 A [REDACTED]. 00:48:41

3 Q [REDACTED] 00:48:42

4 [REDACTED] 00:48:47

5 MR. McNAMARA: Objection. 00:48:55

6 A No. I don't understand you. 00:48:56

7 Q [REDACTED] 00:49:25

8 [REDACTED] 00:49:30

9 [REDACTED] 00:49:34

10 [REDACTED] 00:49:38

11 MR. McNAMARA: Objection. 00:49:43

12 Q [REDACTED] 00:49:44

13 [REDACTED] 00:49:47

14 A [REDACTED] 00:49:49

15 [REDACTED] 00:49:59

16 Q Okay. Thank you for answering. 00:50:00

17 What year did you arrive in New York? 00:50:09

18 MR. McNAMARA: Objection. 00:50:12

19 Q You can answer. 00:50:18

20 A In '98. 00:50:20

21 Q Did you work in 1998; if you 00:50:26

22 remember? 00:50:38

23 A Yes. 00:50:38

24 Q Do you remember where you 00:50:39

25 worked? 00:50:42

1 J. Quinteros

2 A In a factory. 00:50:44

3 Q What was the name of that 00:50:52

4 factory? 00:50:54

5 A I don't think it exists. 00:50:55

6 Q I'm not asking if it exists. I 00:50:58

7 asked what the name is. 00:51:03

8 A I don't remember the name. 00:51:04

9 Q What kind of factory was it? 00:51:06

10 A They made tortillas. 00:51:09

11 Q Did you work in 1999? 00:51:16

12 A Yes. 00:51:22

13 Q Where did you work in 1999? 00:51:28

14 A I think I was there. 00:51:33

15 Q Where is "there;" the tortilla 00:51:40

16 factory? 00:51:44

17 A Yes. 00:51:45

18 Q Where did you work in 2000? 00:51:46

19 A With Ralphie. 00:51:56

20 Q Are you talking about 00:52:11

21 Ralph Lunati? 00:52:14

22 A Yes, but I don't have any papers 00:52:14

23 from them. 00:52:23

24 Q I didn't ask you for papers from 00:52:24

25 them. 00:52:29

1 J. Quinteros

2 A That's why I'm telling you that 00:52:29
3 I don't have anything. 00:52:31

4 Q Did all the other workers tell 00:52:31
5 you that I was going to ask you for those 00:52:35
6 papers? 00:52:38

7 MR. McNAMARA: Objection. 00:52:40

8 A Yes, they said that you were 00:52:44
9 going to ask for some. 00:52:48

10 Q Who said that? 00:52:48

11 MR. McNAMARA: Objection. 00:52:50

12 Q You can answer. 00:52:59

13 A Nelson. 00:53:02

14 Q Nelson Quintanilla? 00:53:13

15 A Yes. 00:53:16

16 Q Who else? 00:53:17

17 A He told me. 00:53:20

18 Q He told you what to say at this 00:53:21
19 deposition; did he not? 00:53:27

20 MR. McNAMARA: Objection. 00:53:29

21 A No. 00:53:30

22 Q He told you what questions I was 00:53:30
23 going to ask; right? 00:53:34

24 MR. McNAMARA: Objection. 00:53:36

25 A No. 00:53:37

1 J. Quinteros

2 Q You just told me that he told 00:53:38
3 you I was going to ask for papers; did you 00:53:41
4 not? 00:53:47

5 A Yes. He said he might ask you 00:53:48
6 for some check stubs, but nothing else. 00:53:52

7 Q He didn't say anything else? 00:53:56

8 MR. McNAMARA: Objection. 00:53:58

9 A No. 00:53:59

10 Q You know, it sounds like you're 00:54:00
11 lying to me. 00:54:03

12 MR. McNAMARA: Objection. 00:54:04

13 Q You know that; right? 00:54:05

14 A (No verbal response.) 00:54:08

15 Q Yes or no? 00:54:12

16 A I'm not lying. 00:54:13

17 Q Sure, you are. 00:54:15

18 You know what happens if you lie 00:54:20
19 at a deposition? 00:54:25

20 MR. McNAMARA: Objection. 00:54:28

21 A I don't know. 00:54:29

22 Q You know you're under oath; 00:54:32
23 right? 00:54:35

24 A Yes. 00:54:36

25 Q You know that you swore under 00:54:36

1 J. Quinteros

2 the Laws of the State of New York and the 00:54:41
3 United States to tell the truth; right? 00:54:44

4 A Yes. 00:54:47

5 Q You understand that there's a 00:54:47
6 penalty if you don't tell the truth, you 00:54:52
7 understand that; do you not? 00:54:56

8 A Yes, I knew. 00:54:58

9 Q It's no different than if you 00:55:00
10 lie in front of a Judge. 00:55:04

11 You understand that; right? 00:55:07

12 A Yes. 00:55:07

13 Q It's called perjury. 00:55:08

14 MR. McNAMARA: Objection. 00:55:10

15 Q I'm going to urge you not to lie 00:55:11
16 to me again today. 00:55:15

17 Do you understand? 00:55:18

18 A I'm not lying. 00:55:19

19 Q Look at me. Don't lie to me 00:55:20
20 again. 00:55:25

21 Do you understand? 00:55:28

22 A I'm not lying. 00:55:28

23 Q Where did you work in 2001? 00:55:30
24 Don't lie to me again. 00:55:45

25 A I think I was with Ralphie. 00:55:47

1 J. Quinteros

2 Q Ralph Lunati again? 00:56:09

3 A Yes. 00:56:11

4 Q Did he pay you in cash or check? 00:56:11

5 A I don't recall. 00:56:16

6 Q You don't recall because your 00:56:21

7 memory is bad; correct? 00:56:25

8 MR. McNAMARA: Objection. 00:56:33

9 Q You can answer. 00:56:35

10 A Yes. 00:56:36

11 Q Where did you work in 2002? 00:56:40

12 A I was still with Ralphie. 00:56:48

13 Q Do you remember if he paid you 00:56:55

14 in cash or check? 00:56:58

15 A I don't recall. 00:57:00

16 Q So he could have paid you in 00:57:01

17 cash; right? 00:57:06

18 MR. McNAMARA: Objection. 00:57:07

19 A I don't recall. 00:57:21

20 Q And you don't recall because 00:57:32

21 your memory is bad; correct? 00:57:34

22 MR. McNAMARA: Objection. 00:57:37

23 Q You can answer. 00:57:40

24 A I don't recall. 00:57:42

25 Q And, again, you don't recall 00:57:45

1 J. Quinteros

2 because your memory is bad; correct? 00:57:49

3 MR. McNAMARA: Objection. 00:57:52

4 A Yes. 00:57:53

5 Q Where did you work in 2003? 00:57:54

6 A I think I was still with 00:58:02

7 Ralphie. 00:58:14

8 Q Do you know if you were paid in 00:58:14

9 cash or check in 2003? 00:58:17

10 A I don't recall. 00:58:21

11 Q And you don't recall because 00:58:22

12 your memory is bad; correct? 00:58:25

13 MR. McNAMARA: Objection. 00:58:28

14 A Yes. 00:58:28

15 Q Where did you work in 2004? 00:58:29

16 A For Fasco. 00:58:32

17 Q Were you paid in cash or check 00:58:44

18 at Fasco? 00:58:48

19 A Half and half. 00:58:50

20 Q When you worked for Lunati from 00:58:53

21 2000 to 2003, did you file income tax 00:59:07

22 returns? 00:59:13

23 MR. McNAMARA: Objection. 00:59:14

24 A (No verbal response.) 00:59:26

25 Q I'm waiting for an answer. 00:59:27

1 J. Quinteros

2 A He said that he would pay them. 00:59:30

3 Q That's a wonderful answer, just 00:59:53

4 not an answer to the question I asked. 00:59:59

5 Did you file income tax returns? 01:00:05

6 MR. McNAMARA: I'd like all 01:00:08

7 questions and answers arising therefrom 01:00:11

8 regarding income taxes and tax returns 01:00:15

9 to be marked confidential, pursuant to 01:00:18

10 the confidentiality agreement.

11 MR. ZABELL: I object to the

12 designation, and I now object on the

13 record and in writing to this

14 designation.

15 There is a stipulation of

16 confidentiality which has a method and 01:00:36

17 a procedure for which you can test your 01:00:38

18 designation. I strongly suggest you 01:00:38

19 review that stipulation order of 01:00:38

20 confidentiality in order to do so. 01:00:46

21 MR. McNAMARA: Thank you, 01:00:46

22 Counselor. 01:00:49

23 Q Now answer the question. 01:00:49

24 A (No verbal response.) 01:01:05

25 MR. ZABELL: Let the record 01:01:05

1 J. Quinteros

2 reflect that it's now been over one 01:01:06
3 minute since that question was asked. 01:01:10

4 MR. McNAMARA: Objection. 01:01:14

5 MR. ZABELL: Let the record 01:01:23
6 reflect that one minute and thirty 01:01:35
7 seconds have now passed since that 01:01:35
8 question was asked. 01:01:38

9 MR. McNAMARA: Mr. Quinteros, 01:01:38
10 please answer the question as Counselor 01:01:39
11 has directed you. 01:01:44

12 A No. 01:01:46

13 Q Was that so difficult to answer? 01:01:49

14 A Yes. 01:01:54

15 Q Why? 01:01:55

16 A Because there are things that I 01:01:56
17 don't really remember well. 01:02:07

18 Q Well, I think that you've 01:02:10
19 established that you don't remember much 01:02:13
20 beyond two weeks ago; correct? 01:02:18

21 MR. McNAMARA: Objection. 01:02:20

22 A (No verbal response.) 01:02:23

23 Q Correct? 01:02:23

24 A Yes. 01:02:24

25 Q In 2005, where did you work? 01:02:25

1 J. Quinteros

2 A I was in Fasco, I think. 01:02:30

3 Q How were you paid in 2005 at 01:02:38

4 Fasco? 01:02:46

5 A By check. 01:02:52

6 Q Only check? 01:02:55

7 A Yes. 01:03:08

8 Q In 2006, where did you work? 01:03:09

9 A In Fasco. 01:03:19

10 Q How were you paid in 2006 by 01:03:22

11 Fasco? 01:03:27

12 A Check. 01:03:28

13 Q In 2007, where did you work? 01:03:29

14 A Fasco. 01:03:36

15 Q How were you paid? 01:03:39

16 A Check. 01:03:41

17 Q In 2008, where did you work? 01:03:42

18 A I worked through July, I 01:03:47

19 remember, in Fasco, and then I started -- I 01:03:59

20 am not sure the day that I started in 01:04:05

21 Suffolk, but it was in July. 01:04:08

22 Q You started where in July? 01:04:12

23 A In Suffolk. 01:04:15

24 Q Suffolk what? 01:04:19

25 A Suffolk Paving. 01:04:21

1 J. Quinteros

2 Q From 2004 to 2007 and part 01:04:23
3 of 2008 when you worked for Fasco, did you 01:04:37
4 file income tax returns? 01:04:41

5 MR. McNAMARA: Objection. 01:04:43

6 A What was the question? 01:04:46

7 Q You know what the question was. 01:04:52
8 Just answer it. 01:04:56

9 A I didn't understand the 01:04:58
10 question. 01:05:09

11 Q Did you file income tax returns 01:05:10
12 in 2004 to 2008 when you worked for Fasco? 01:05:13

13 MR. McNAMARA: Objection. 01:05:20

14 A Yes, but I don't have those 01:05:25
15 little things. I lost them, but I do have 01:05:42
16 from 2006, 2007, and part of 2008. 01:05:47

17 Q What little things? 01:05:53

18 MR. McNAMARA: Objection. 01:05:55

19 A From the income taxes. 01:05:56

20 Q So when you worked at Fasco, you 01:05:59
21 didn't file income tax returns; did you? 01:06:04

22 MR. McNAMARA: Objection. 01:06:09

23 A I did. From 2004, 2005, I 01:06:10
24 think. That, I filed. 01:06:32

25 Q What about in 2006 and 2007? 01:06:34

1 J. Quinteros

2 A I also have them. The ones that 01:06:39
3 I don't have are from 2004, 2005. Those, I 01:06:42
4 can't find them, but I did file income taxes. 01:06:52

5 Q Under what Social Security 01:06:55
6 number did you file income taxes in 2004? 01:06:58

7 MR. McNAMARA: Objection. 01:07:03

8 A With mine. 01:07:04

9 Q Where did you get a Social 01:07:06
10 Security number? 01:07:12

11 MR. McNAMARA: Objection. 01:07:12

12 Q You may answer. 01:07:13

13 MR. McNAMARA: I'd like, at this 01:07:16
14 time, to have all questions and answers 01:07:16
15 arising therefrom regarding Social 01:07:23
16 Security numbers to be marked 01:07:24
17 confidential, pursuant to the 01:07:24
18 confidentiality agreement. 01:07:27

19 MR. ZABELL: On the record, I'm 01:07:27
20 advising you that I object to that 01:07:31
21 designation. 01:07:31

22 There is a stipulation of 01:07:31
23 confidentiality which provides the 01:07:35
24 steps that you may utilize to test your 01:07:37
25 designation. You may do so. I 01:07:39

1 J. Quinteros

2 encourage you to read that, but I'm 01:07:39

3 objecting to the designation. 01:07:47

4 MR. McNAMARA: Thank you, 01:07:47

5 Counselor. 01:07:49

6 Q Now, provide an answer. 01:07:49

7 A Can you ask me the question 01:07:53

8 again? 01:07:57

9 Q [REDACTED] 01:07:57

10 [REDACTED] 01:08:00

11 MR. McNAMARA: Objection. 01:08:02

12 A What does my attorney say? 01:08:04

13 Q He says that you have to answer 01:08:21

14 it. 01:08:26

15 MR. McNAMARA: Please answer the 01:08:26

16 question. I already objected, but you 01:08:28

17 still have to answer it. 01:08:32

18 A [REDACTED] 01:08:33

19 [REDACTED] 01:08:36

20 Q Who told you that? 01:08:39

21 MR. McNAMARA: Objection. 01:08:42

22 Q Go ahead. Who told you? 01:08:43

23 MR. McNAMARA: Objection. 01:08:47

24 A [REDACTED] 01:08:55

25 [REDACTED] 01:08:59

1 J. Quinteros

2 [REDACTED] 01:09:00

3 Q They apparently lied to you. 01:09:00

4 MR. McNAMARA: Objection. 01:09:04

5 Q Who specifically told you that 01:09:05
6 you didn't have to answer my questions? 01:09:08

7 A They told us that they weren't 01:09:11
8 going to ask us about immigration issues. 01:09:17

9 Q Who is the "they"? 01:09:21

10 A My attorney. 01:09:26

11 Q What is your attorney's name? 01:09:26

12 MR. McNAMARA: Objection. 01:09:28

13 A (No verbal response.) 01:09:30

14 Q Answer the question. 01:09:46

15 A (No verbal response.) 01:09:48

16 MR. ZABELL: Let the record 01:09:52
17 reflect that, approximately, thirty 01:09:56
18 seconds have passed since I asked the 01:09:56
19 question. 01:09:57

20 MR. McNAMARA: Objection. 01:09:57

21 MR. ZABELL: Forty-five seconds. 01:09:59

22 MR. McNAMARA: Objection. 01:10:10

23 MR. ZABELL: One minute. 01:10:22

24 A I'm not going to say anything, 01:10:26
25 because my attorney said that nothing was 01:10:31

1 J. Quinteros

2 going to be said about immigration. 01:10:34

3 Q Your attorney is sitting right 01:10:34

4 next to you, and your attorney will tap you 01:10:37

5 on the shoulder when he is directing you not 01:10:45

6 to answer. Now stop playing games and answer 01:10:49

7 the question. 01:10:54

8 A I'm not playing. 01:10:55

9 Q You clearly are. You better 01:10:59

10 start answering the questions before I have 01:11:04

11 you removed. 01:11:07

12 MR. McNAMARA: Objection. 01:11:10

13 A What does my attorney say? 01:11:11

14 Q Your attorney says to answer the 01:11:21

15 question. 01:11:31

16 A It's just that I'm not going to 01:11:32

17 say anything because those are immigration 01:11:37

18 issues. 01:11:42

19 Q Mr. Quinteros, look at me. You 01:11:42

20 don't have a choice. You're going to get 01:11:46

21 yourself in more trouble if you don't answer 01:11:50

22 these questions. You have a lawyer who is 01:11:54

23 here to protect you. 01:11:57

24 Do you want to plead the Fifth 01:12:01

25 Amendment? 01:12:05

1 J. Quinteros

2 A I don't understand that. 01:12:05

3 Q Good. Then just answer the 01:12:07

4 question. 01:12:11

5 MR. ZABELL: Patrick, tell him 01:12:24

6 to answer the question. 01:12:27

7 MR. McNAMARA: Mr. Quinteros, 01:12:28

8 please answer the question that 01:12:29

9 Counselor asked you. 01:12:32

10 A In the office where they give 01:12:34

11 you the Social Security numbers. 01:12:39

12 Q [REDACTED] 01:12:41

13 [REDACTED] 01:12:45

14 [REDACTED] 01:12:48

15 MR. McNAMARA: Objection. 01:12:49

16 A I don't understand. 01:12:53

17 Q [REDACTED] 01:12:54

18 [REDACTED] 01:12:59

19 [REDACTED] 01:13:03

20 A No, I never used -- I've never 01:13:10

21 used a false Social Security number. I've 01:13:16

22 always had my own. 01:13:19

23 Q Where did you get your Social 01:13:20

24 Security number? 01:13:23

25 MR. McNAMARA: Objection. 01:13:23

1 J. Quinteros

2 A At the office where they give 01:13:25
3 you a Social Security number. I don't 01:13:30
4 remember where it was. 01:13:33

5 Q Then why were you refusing to 01:13:34
6 answer my question before? 01:13:39

7 A Because there are immigration 01:13:41
8 issues, and we're not going to speak about 01:13:41
9 that here. 01:13:45

10 Q But if you have no 01:13:45
11 immigration -- you don't get to tell me what 01:13:47
12 you're going to talk about. 01:13:50

13 MR. McNAMARA: Objection, 01:13:52
14 Counselor. 01:13:53

15 Q Do you understand that? 01:13:53

16 MR. McNAMARA: Counselor, please 01:13:54
17 lower your voice. 01:13:56

18 Q Do you understand that? 01:13:57

19 A (No verbal response.) 01:13:59

20 Q Yoo-hoo, you with us? 01:14:00

21 MR. McNAMARA: Objection. 01:14:04

22 A (No verbal response.)

23 Q (Whistling.)

24 MR. McNAMARA: Counselor, please
25 stop whistling at the witness.

1 J. Quinteros

2 MR. ZABELL: I'm just trying to
3 get him to answer the question in under
4 two minutes. 01:14:11

5 A You're playing with me. You're 01:14:11
6 not respecting me. 01:14:14

7 Q I won't respect you if you don't 01:14:16
8 start answering these questions -- 01:14:17

9 MR. McNAMARA: Objection. 01:14:17

10 Q -- because you're not respecting 01:14:18
11 the process. 01:14:21

12 MR. McNAMARA: Objection. 01:14:23

13 Q When you sue this nice man 01:14:24
14 (indicating), you put yourself here. When 01:14:27
15 you sue the man that gives you a living and 01:14:32
16 provides food for you and your family, you 01:14:38
17 give me the right to ask you all sorts of 01:14:41
18 questions. 01:14:45

19 MR. McNAMARA: Objection. 01:14:46

20 Q Do you understand that? 01:14:47

21 A You can ask anything, but not 01:14:48
22 immigration. 01:14:54

23 Q No, no. I can ask anything at 01:14:55
24 all. 01:14:58

25 Do you understand? 01:15:04

1 J. Quinteros

2 A I'm not going to answer any 01:15:04
3 immigration things. 01:15:07

4 Q You don't have a choice. 01:15:07

5 MR. McNAMARA: Objection. 01:15:09

6 Counselor, please lower your voice. 01:15:11

7 Q If you're going to take the 01:15:11
8 position that you're not going to answer 01:15:11
9 anything, then I'm going to tell you to walk 01:15:12
10 right out of here right now, and then I'll 01:15:14
11 call the Court, and then we'll see what 01:15:18
12 happens. 01:15:18

13 Do you understand that? 01:15:25

14 A (No verbal response.) 01:15:27

15 Q Do you understand that, wiseguy? 01:15:29

16 MR. McNAMARA: Objection. 01:15:31

17 A (No verbal response.) 01:15:33

18 Q Yes or no? 01:15:37

19 A (No verbal response.) 01:15:37

20 MR. ZABELL: Let the record 01:15:50

21 reflect that fifteen seconds have gone 01:15:51
22 by since I asked the question. 01:15:52

23 MR. McNAMARA: Objection. 01:15:52

24 MR. ZABELL: What's the basis of 01:15:53
25 your objection? Was it not fifteen 01:15:56

1 J. Quinteros

2 seconds? 01:16:02

3 MR. McNAMARA: No, you're not 01:16:02

4 asking him a question. 01:16:04

5 MR. ZABELL: Thirty seconds. 01:16:06

6 MR. McNAMARA: Objection. 01:16:11

7 A I'm not going to answer 01:16:12

8 immigration issues. 01:16:14

9 Q You will answer any question I 01:16:16

10 ask you, unless your attorney taps you on the 01:16:20

11 shoulder and tells you you don't have to 01:16:24

12 answer. 01:16:27

13 Am I clear? 01:16:28

14 A (No verbal response.) 01:16:29

15 Q Am I clear? 01:16:30

16 MR. McNAMARA: Objection. 01:16:31

17 A (No verbal response.) 01:16:32

18 Q Am I clear? 01:16:33

19 A (No verbal response.) 01:16:38

20 Q Go ahead, look at your attorney. 01:16:41

21 Look at him. 01:16:46

22 MR. McNAMARA: Mr. Quinteros, 01:16:47

23 please answer any question that 01:16:48

24 Counselor asks you, unless I tell you 01:16:53

25 not to answer it. I'll tap you on the 01:16:54

1 J. Quinteros

2 shoulder. 01:16:58

3 Q Are we clear now? 01:16:58

4 A That's fine. 01:17:01

5 Q What's your Social Security number? 01:17:02

6 MR. McNAMARA: Objection. 01:17:07

7 A I'm not going to give it to you. 01:17:08

8 Q Did he touch you on the shoulder 01:17:14

9 just now? 01:17:17

10 A But they're immigration issues. 01:17:18

11 Q Look, I don't care. You have to 01:17:21

12 answer the question. If you're incapable of 01:17:23

13 answering the questions, then you shouldn't 01:17:28

14 be suing this nice man that provides for you 01:17:31

15 and your family. 01:17:36

16 MR. McNAMARA: Objection. 01:17:37

17 Q Do you understand? 01:17:38

18 A (No verbal response.) 01:17:40

19 Q Do you understand? 01:17:44

20 MR. McNAMARA: Objection. 01:17:46

21 Counselor, please stop yelling at the 01:17:48

22 witness. 01:17:49

23 MR. ZABELL: Let him start 01:17:49

24 answering the questions. 01:17:52

25 MR. McNAMARA: I've been 01:17:52

1 J. Quinteros

2 instructing him to answer your 01:17:52
3 questions. 01:17:58

4 MR. ZABELL: Yes, I know. He's 01:17:58
5 frustrating you, as well; correct? 01:18:00

6 MR. McNAMARA: I'm instructing 01:18:00
7 him to answer the questions. 01:18:00

8 MR. ZABELL: I know. He's 01:18:00
9 frustrating you, as well, correct? 01:18:00

10 MR. McNAMARA: I would just like 01:18:01
11 the proceeding to move forward. 01:18:02

12 MR. ZABELL: Tell him that. 01:18:05

13 MR. McNAMARA: I've already 01:18:07
14 instructed the witness. 01:18:10

15 MR. ZABELL: Apparently, he 01:18:10
16 needs to be instructed again. 01:18:10
17 Apparently, his memory is not so good. 01:18:10
18 He didn't remember you telling him that 01:18:13
19 three minutes ago. 01:18:16

20 MR. McNAMARA: Objection. 01:18:17

21 A You're making fun of me. 01:18:17

22 Q Yes. And that wasn't even 01:18:20
23 interpreted, so you understood what I was 01:18:25
24 saying in English; correct? 01:18:27

25 A (No verbal response.) 01:18:31

1 J. Quinteros

2 Q Now who's making a mockery of 01:18:32
3 this? 01:18:39

4 MR. McNAMARA: Objection. 01:18:39

5 A (No verbal response.) 01:18:42

6 Q Do you know why you're here 01:18:50
7 today? 01:18:52

8 A Yes. 01:18:53

9 Q You're suing this man 01:18:54
10 (indicating); aren't you? 01:18:56

11 A Yes. 01:18:58

12 Q This man has paid you a check 01:18:58
13 for every week that you worked for him; 01:19:01
14 correct? 01:19:05

15 A (No verbal response.) 01:19:06

16 Q Correct? 01:19:10

17 A Yes, but -- 01:19:12

18 Q Not "yes, but." 01:19:13

19 He gave you a check for every 01:19:16
20 week you worked for him; correct? 01:19:18

21 MR. McNAMARA: Objection. 01:19:21

22 A But he didn't pay overtime. 01:19:22

23 Q And on every check it showed the 01:19:24
24 hours that you worked; correct? 01:19:28

25 MR. McNAMARA: Objection. 01:19:31

1 J. Quinteros

2 A (No verbal response.) 01:19:33

3 Q Correct? 01:19:33

4 MR. McNAMARA: Objection. 01:19:35

5 A (No verbal response.) 01:19:35

6 Q Correct? 01:19:35

7 A No. 01:19:36

8 Q Oh, not correct? You didn't get 01:19:36

9 a little pay stub with every check you got 01:19:39

10 from him? 01:19:42

11 A Yes, there was a pay stub, but 01:19:42

12 not all of the hours that I worked were 01:19:45

13 there. 01:19:47

14 Q You never got paid overtime; 01:19:47

15 right? 01:19:50

16 A Sometimes. Very rare. 01:19:50

17 Q Very rare; right? 01:19:53

18 A (No verbal response.) 01:19:56

19 Q When you worked overtime, you 01:19:57

20 got paid overtime; correct? 01:20:00

21 MR. McNAMARA: Objection. 01:20:03

22 A No, they didn't pay them. 01:20:04

23 Sometimes. 01:20:07

24 Q How do you remember? You don't 01:20:08

25 remember anything from two weeks ago. 01:20:12

1 J. Quinteros

2 Remember you fell out of the tree? 01:20:15

3 MR. McNAMARA: Objection. 01:20:19

4 A (No verbal response.) 01:20:22

5 Q Remember or you don't remember? 01:20:22

6 A I didn't understand you. 01:20:25

7 Q Of course, you don't. 01:20:27

8 Remember you testified before 01:20:30

9 that you don't remember anything that 01:20:30

10 happened, other than going to see a soccer 01:20:34

11 game more than two weeks ago -- 01:20:37

12 MR. McNAMARA: Objection. 01:20:39

13 Q -- and doing a little shopping, 01:20:40

14 and laundry too? I don't want to forget 01:20:44

15 that. 01:20:49

16 A (No verbal response.) 01:20:49

17 Q Do you remember? 01:20:49

18 A (No verbal response.) 01:20:51

19 MR. ZABELL: Let's start the 01:20:58

20 clock on this and see if he answers it 01:21:00

21 in under a minute or two. 01:21:04

22 MR. McNAMARA: Objection. 01:21:05

23 MR. ZABELL: We're at a 01:21:51

24 minute-and-a-half -- 01:21:52

25 MR. McNAMARA: Objection. 01:21:53

1 J. Quinteros

2 MR. ZABELL: -- right, 01:21:55

3 Counselor? We're not at a 01:21:55

4 minute-and-a-half, Counselor? 01:21:55

5 Counselor, will you stipulate 01:21:55

6 that we're at a minute-and-a-half? 01:21:58

7 MR. McNAMARA: Counselor, your 01:21:58

8 job is to ask the witness questions. 01:22:00

9 MR. ZABELL: Oh, thank you. 01:22:03

10 Nice. Are you taking a little play 01:22:05

11 from my playbook? Good for you. I 01:22:07

12 told you I'd teach you. 01:22:11

13 Two-and-a-half minutes. 01:22:35

14 MR. McNAMARA: Counselor, do you 01:22:53

15 want to ask the question again? 01:22:56

16 MR. ZABELL: No. I want him to 01:22:58

17 answer it and stop playing games. He

18 thinks he's being cute. I don't think

19 he's cute. He's got a lot of gel in

20 his hair, but I don't think he's cute.

21 MR. McNAMARA: I don't remember

22 the question. 01:23:31

23 Q Do you remember the question 01:23:31

24 that I asked you? 01:23:33

25 A No. 01:23:35

1 J. Quinteros

2 Q So you were just going to sit 01:23:35

3 there with that silly look on your face and? 01:23:39

4 Not answer and hope that we moved on; right. 01:23:43

5 MR. McNAMARA: Objection. 01:23:43

6 Q That's what you were planning on 01:23:46

7 doing with that silly grin? 01:23:49

8 MR. McNAMARA: Objection. 01:23:51

9 A (No verbal response.) 01:23:53

10 Q Go ahead. Answer. 01:23:54

11 A (No verbal response.) 01:23:57

12 MR. McNAMARA: Did you actually 01:24:05

13 repeat the question? 01:24:07

14 MR. ZABELL: No. I want to find 01:24:10

15 out how long he is going to sit there 01:24:11

16 before he forgets a question I ask him 01:24:11

17 and whether or not he was hoping we 01:24:15

18 would just move on with that silly grin 01:24:19

19 on his face. 01:24:22

20 MR. McNAMARA: Objection. 01:24:24

21 MR. ZABELL: He's going to lose 01:24:34

22 another day's work to come back and 01:24:39

23 testify. 01:24:43

24 Q Do you know why we're all 01:24:52

25 laughing? 01:25:01

1 J. Quinteros

2 A No. 01:25:02

3 Q Are you going to answer any of 01:25:03
4 the questions I ask you today? 01:25:08

5 A If I know. 01:25:10

6 Q Are you smart enough to answer 01:25:15
7 the questions I ask you? 01:25:19

8 MR. McNAMARA: Objection. 01:25:20

9 A I'm going to answer what I know. 01:25:23

10 Q I'll tell you what. You answer 01:25:30
11 what you know, and if you don't know the 01:25:32
12 answer to the question, you tell us you don't 01:25:36
13 know. 01:25:39

14 Are you capable of doing that? 01:25:41

15 A Yes. 01:25:46

16 Q You are? 01:25:47

17 A Yes. 01:25:48

18 Q Those are the rules for today. 01:25:49
19 Do you understand? 01:25:54

20 A That's fine. 01:25:56

21 Q You comprende? 01:25:57

22 A Yes. 01:26:00

23 MR. ZABELL: Now read back the 01:26:00
24 question, please. 01:26:00

25 (Whereupon, the requested -11:-41:-15

1 J. Quinteros

2 portion of the record was read by the -11:-41:-15
3 court reporter.) 01:27:38

4 Q Do you remember working overtime 01:27:38
5 more than two weeks ago? 01:27:41

6 A Yes. 01:27:47

7 Q Where? Tell me all the places 01:27:52
8 you worked overtime more than two weeks ago. 01:27:57

9 A I don't recall. 01:28:02

10 Q Do you remember any of the 01:28:03
11 places you worked overtime two weeks ago? 01:28:06

12 A I don't recall. 01:28:10

13 Q Did you work overtime two weeks 01:28:17
14 ago? 01:28:20

15 A Yes. But in 2009, before the 01:28:22
16 suit, he didn't pay us, but since the suit, 01:28:36
17 he's been paying. 01:28:40

18 Q Look at me. 01:28:42

19 MR. McNAMARA: Objection. 01:28:44

20 Q Just answer the questions I ask 01:28:44
21 you. 01:28:48

22 Are you capable of doing that? 01:28:49

23 A Yes. 01:28:52

24 Q Is it your testimony that two 01:28:53
25 weeks ago, you worked overtime? 01:28:58

1 J. Quinteros

2 A I think so. 01:29:03

3 Q Where did you work overtime two 01:29:05

4 weeks ago? 01:29:09

5 A I don't recall. 01:29:10

6 Q Why are you incapable of 01:29:11

7 recalling? 01:29:15

8 A Because I go to many places. 01:29:17

9 Q And you have a bad memory too; 01:29:22

10 correct? 01:29:26

11 A Yes. 01:29:28

12 Q Is it safe to say you can't 01:29:29

13 remember beyond two weeks ago, any of the 01:29:33

14 places that you worked overtime? 01:29:36

15 MR. McNAMARA: Objection. 01:29:39

16 A (No verbal response.) 01:29:43

17 Q Right? 01:29:49

18 A I don't recall. 01:29:50

19 Q And you don't recall because you 01:29:51

20 have a bad memory; correct? 01:29:54

21 A Yes. 01:29:56

22 Q And you have a bad memory 01:29:56

23 because you fell out of a tree when you were 01:30:00

24 ten; correct? 01:30:03

25 A Yes. 01:30:04

1 J. Quinteros

2 Q Did you ever go to school? 01:30:04

3 A Yes. 01:30:07

4 Q Where did you go to school? 01:30:22

5 A In my country. 01:30:25

6 Q What country is that? 01:30:27

7 MR. McNAMARA: Objection. 01:30:31

8 A El Salvador. 01:30:33

9 Q For how long did you go to 01:30:34
10 school in El Salvador; a week, a year, a 01:30:38
11 month? 01:30:46

12 A I think thirteen years old. 01:30:48

13 Q You stopped when you were 01:30:58
14 thirteen, or you started when you were 01:31:01
15 thirteen? 01:31:04

16 A I don't understand your 01:31:04
17 question. 01:31:05

18 Q When did you stop going to 01:31:05
19 school in your country? 01:31:09

20 A When did I stop going to school? 01:31:11

21 Q That was the question I just 01:31:22
22 asked you. 01:31:25

23 A In '93, I think. I don't 01:31:37
24 recall. 01:31:50

25 Q How old were you when you 01:31:50

1 J. Quinteros

2 stopped? 01:31:55

3 A I don't recall, twenty, 01:31:56

4 twenty-one. 01:32:05

5 Q Did you go to college? 01:32:06

6 A No. 01:32:10

7 Q Did you do well in school? 01:32:12

8 A Yes. 01:32:17

9 Q Did you graduate school? 01:32:18

10 A In my country, they call it high 01:32:24

11 school. Yes, it's like high school. 01:32:32

12 Q Did you graduate high school? 01:32:34

13 A Yes. 01:32:38

14 Q Did you go on to university? 01:32:38

15 A No. 01:32:43

16 Q Why not? 01:32:43

17 A I was working at home. 01:32:49

18 Q Are you familiar with this 01:32:58

19 number, [REDACTED] 01:33:04

20 A What did you say the number was? 01:33:13

21 Q [REDACTED]. 01:33:25

22 A Can you write it for me? 01:33:40

23 Q I'm just asking you if you're 01:33:42

24 familiar with that number. 01:33:45

25 A Can you repeat it? 01:33:48

1 J. Quinteros

2 Q [REDACTED]. 01:33:54

3 A That's my Social Security number. 01:34:01

4 Q Wasn't that the question I was 01:34:06

5 asking you before? 01:34:08

6 A No. 01:34:11

7 Q That wasn't the question I asked 01:34:15

8 you before; the one that you refused to 01:34:17

9 answer? 01:34:25

10 A No. Because you had asked me 01:34:25

11 where I had found it, where they had given it 01:34:30

12 to me. 01:34:35

13 Q Is that the only Social Security 01:34:35

14 number that you've ever given an employer? 01:34:39

15 MR. McNAMARA: Objection. 01:34:43

16 A Yes. 01:34:44

17 Q You've never given any other 01:34:44

18 number? 01:34:49

19 A No. 01:34:49

20 Q Are you sure? 01:34:50

21 A Yes. 01:34:51

22 Q You know your body language says 01:34:51

23 that you're lying? 01:34:56

24 MR. McNAMARA: Objection. 01:34:58

25 A I'm not lying. 01:34:59

1 J. Quinteros

2 Q Is there any reason why you're 01:35:01
3 tensing up and you're crossing your arms and 01:35:05
4 you're biting down with your jaw? 01:35:09

5 MR. McNAMARA: Objection. 01:35:12

6 A I'm not tense. I'm fine. 01:35:14

7 Q And you filed an income tax 01:35:15
8 return with that Social Security number? 01:35:19

9 A Yes. 01:35:22

10 Q Since 2004? 01:35:22

11 MR. McNAMARA: Objection. 01:35:24

12 A Yes, but I can't find them. I 01:35:26
13 lost them. 01:35:31

14 Q A likely story. 01:35:32

15 A It's true. I have from 2006. I 01:35:35
16 have all of those, but from there and before, 01:35:45
17 I don't have them. 01:35:49

18 Q When you worked for Ralph Lunati, 01:35:50
19 did you ever claim that Ralph Lunati did not 01:35:55
20 pay you for the hours that you worked? 01:35:59

21 A What was that? 01:36:03

22 Q When you worked for Ralph Lunati, 01:36:08
23 did you ever claim that Ralph Lunati did not 01:36:11
24 pay you for the hours that you worked? 01:36:14

25 A No. 01:36:18

1 J. Quinteros

2 Q You never filed a complaint with 01:36:19
3 the Department of Labor? 01:36:23

4 MR. McNAMARA: Objection. 01:36:26

5 A No. 01:36:27

6 Q You never got any extra money 01:36:28
7 from him by claiming that he never paid you? 01:36:32

8 MR. McNAMARA: Objection. 01:36:38

9 A He would always pay what we 01:36:39
10 worked. 01:36:45

11 Q What about Fasco, were you ever 01:36:46
12 involved in a claim against Fasco? 01:36:52

13 A No. They always paid me what I 01:36:56
14 worked. 01:37:00

15 Q Sometimes in check, and 01:37:00
16 sometimes in cash; right? 01:37:02

17 A No, I didn't say that. 01:37:07

18 Q Sure, you did. You said 01:37:10
19 in 2004, Fasco paid you half in cash and half 01:37:12
20 in check. You're not lying to me now; are 01:37:19
21 you? 01:37:23

22 MR. McNAMARA: Objection. 01:37:23

23 A Yes, I said that -- that -- 01:37:23

24 Q That what? 01:37:28

25 A That from 2004, they paid me a 01:37:32

1 J. Quinteros

2 part -- half and half, but then the following 01:37:46
3 year, they paid me only by check. 01:37:53

4 Q That's what I just said. Are 01:37:55
5 you playing games? 01:38:01

6 MR. McNAMARA: Objection. 01:38:03

7 A No. 01:38:04

8 Q I think you are. Don't do it 01:38:06
9 anymore. 01:38:06

10 Do you understand? 01:38:13

11 MR. McNAMARA: Objection. 01:38:14

12 A Yes. 01:38:15

13 Q Do you want to apologize for 01:38:15
14 playing games now? 01:38:19

15 MR. McNAMARA: Objection. 01:38:21

16 A I'm not playing any games. 01:38:21

17 Q You just said you did. 01:38:26

18 A I didn't say I'm playing. 01:38:29

19 Q Where do you live? 01:38:35

20 A In [REDACTED]. 01:38:36

21 Q That's great. Where in 01:38:38
22 Brentwood? 01:38:41

23 A [REDACTED] 01:38:42

24 Q For how long have you lived at 01:38:45

25 [REDACTED] 01:38:49

1 J. Quinteros

2 A Since -- I moved last year in 01:38:53
3 December. 01:39:05

4 Q In December of 2010? 01:39:14

5 A Yes, 2010. 01:39:19

6 (Document consisting of a copy 01:39:19
7 of Mr. Quinteros's driver's license was 01:39:19
8 marked as Defendants' Exhibit Number 1, 01:39:19
9 for identification, as of this date.) 01:39:24

10 Q I'm going to show you a document 01:39:24
11 that's identified as Defendants' Exhibit 1 01:39:27
12 with today's date. 01:39:32

13 Can you take a look at that 01:39:35
14 document, please? 01:39:37

15 A (Witness complies.) 01:39:38

16 Q Do you know what that document 01:39:47
17 is? 01:39:50

18 A It's a copy of my license. 01:39:50

19 Q Is that a picture of you? 01:39:54

20 A Yes. 01:39:55

21 Q Does that look like you? 01:39:55

22 A Yes. 01:39:58

23 Q You're sure? 01:40:00

24 MR. McNAMARA: Objection. 01:40:03

25 A Yes. 01:40:04

1 J. Quinteros

2 Q I don't think it looks like you. 01:40:05

3 MR. McNAMARA: Objection. 01:40:10

4 Q Did you gain weight or lose 01:40:10

5 weight since taking that picture? 01:40:14

6 MR. McNAMARA: Objection. 01:40:16

7 A I don't recall. 01:40:17

8 Q You don't recall because it was 01:40:18

9 more than two weeks ago; right? 01:40:21

10 MR. McNAMARA: Objection. 01:40:24

11 A (No verbal response.) 01:40:26

12 Q Right? 01:40:29

13 A One changes with time. The 01:40:31

14 weight, the physical. 01:40:37

15 Q Did your weight change since you 01:40:49

16 took that picture? 01:40:56

17 MR. McNAMARA: Objection. 01:40:58

18 A I don't know. 01:40:59

19 Q You don't know? 01:41:00

20 A I don't know. 01:41:02

21 Q Did your height change? 01:41:07

22 MR. McNAMARA: Objection. 01:41:10

23 A No, I don't think so. 01:41:10

24 Q In 2008, I believe that you 01:41:24

25 testified that you worked for Suffolk Paving; 01:41:29

1 J. Quinteros

2 correct? 01:41:33

3 A Yes. 01:41:34

4 Q In 2009, where did you work? 01:41:35

5 A Suffolk. 01:41:40

6 Q Suffolk what? 01:41:41

7 A Suffolk Paving -- Suffolk 01:41:42

8 Asphalt Corporation. 01:41:42

9 Q In 2009, you worked for 01:41:50

10 Suffolk Asphalt; is that correct? 01:41:52

11 A (No verbal response.) 01:41:55

12 Q Yes or no? 01:42:00

13 A (No verbal response.) 01:42:02

14 Q It's a simple question. 01:42:03

15 A (No verbal response.) 01:42:07

16 Q Come on. 01:42:17

17 A (No verbal response.) 01:42:18

18 Q Are you planing on answering? 01:42:20

19 A (No verbal response.) 01:42:20

20 Q Yes or no? 01:42:24

21 A I know that it's called -- when 01:42:24

22 I started, one check, it said Suffolk Paving, 01:42:30

23 maybe two or three checks, and then it was 01:42:35

24 Suffolk Asphalt Corporation. 01:42:39

25 Q In 2009, did you receive any 01:42:41

1 J. Quinteros

2 checks, other than from Suffolk Asphalt or 01:42:44
3 from Suffolk Paving? 01:42:47

4 A No. 01:42:48

5 Q In 2010, who did you work for? 01:42:50

6 A Suffolk Asphalt Corporation. 01:42:55

7 Q Did you ever receive any checks 01:43:01
8 from any other company, other than Suffolk 01:43:04
9 Asphalt Corporation? 01:43:09

10 A No. 01:43:09

11 Q How about in 2011; who did you 01:43:09
12 work for then? 01:43:14

13 A I'm working for Suffolk Asphalt 01:43:16
14 Corporation. 01:43:20

15 Q Still? 01:43:20

16 A Yes. 01:43:21

17 Q Did you receive any checks from 01:43:21
18 any other entity, other than Suffolk Asphalt 01:43:30
19 Corporation in 2011? 01:43:35

20 A No. 01:43:35

21 Q In 2008, did you ever receive 01:43:36
22 cash from Suffolk Paving? Only tell me if 01:43:40
23 you can remember. 01:43:43

24 MR. McNAMARA: Objection. 01:43:51

25 A When I went to remove snow once 01:43:52

1 J. Quinteros

2 or twice. About two times, I think, two or 01:43:57
3 three. 01:44:03

4 Q In 2009, did you ever receive 01:44:04
5 cash payments from Suffolk Asphalt? 01:44:12

6 A No. 01:44:15

7 Q In 2009, did you ever receive 01:44:16
8 cash payments from Suffolk Paving? 01:44:24

9 A No. 01:44:26

10 Q In 2010, did you ever receive 01:44:27
11 cash payments? 01:44:31

12 A No. 01:44:34

13 Q How about in 2011? 01:44:35

14 A No. 01:44:40

15 Q So you're saying that in 2008, 01:44:40
16 you received cash maybe once or twice? 01:44:42

17 MR. McNAMARA: Objection. 01:44:46

18 A I remember that I went about two 01:44:48
19 times, but I don't remember what year it was 01:44:54
20 when I went to clean the snow. 01:45:00

21 Q In 2008, did you keep track of 01:45:02
22 all the hours that you worked? 01:45:05

23 A Yes, since we only had one 01:45:08
24 paper. 01:45:19

25 Q What did you do with that paper? 01:45:19

1 J. Quinteros

2 A They would give it to the 01:45:24
3 office. 01:45:28

4 Q I'm not talking about "they," 01:45:28
5 I'm talking about you. 01:45:32

6 What did you do with that paper? 01:45:35

7 A We would give it to the office 01:45:38
8 when we gave them -- the person in charge of 01:45:41
9 the group would take down the hours that we 01:45:47
10 worked and give it to the office. 01:45:51

11 Q Who was that person? 01:45:54

12 A The person in charge of the 01:45:56
13 group. 01:46:00

14 Q What's that person's name? 01:46:00

15 A Renato. 01:46:03

16 Q Did you ever fill out any sheets 01:46:10
17 indicating how many hours you worked? 01:46:15

18 A Yes, they would write down all 01:46:19
19 the hours of the people who worked with them. 01:46:24

20 Q Not they, you. 01:46:27

21 A We would fill only one out. 01:46:29

22 Q Did you ever take your hand and 01:46:34
23 write your hours down on the sheet? 01:46:37

24 A (No verbal response.) 01:46:41

25 Q Yes or no? 01:46:45

1 J. Quinteros

2 A No, we would only fill one out. 01:46:46

3 Q Listen to me. You testified 01:46:51

4 that you have a high school education. 01:46:55

5 That's better than all the other people that 01:46:57

6 have testified at deposition so far. I have 01:47:02

7 to assume that you're at least as smart as 01:47:08

8 they are. 01:47:12

9 Did you, with your hand, ever 01:47:13

10 write down the hours that you worked 01:47:15

11 anywhere? 01:47:18

12 A No. Because we were together, 01:47:25

13 and we only had one sheet. 01:47:29

14 Q Who was the person responsible 01:47:31

15 for writing on that one sheet? 01:47:36

16 A The person in charge of the 01:47:39

17 group. 01:47:41

18 Q What was that person's name? 01:47:41

19 A Renato. Sometimes Renato would 01:47:45

20 take them down and sometimes Carlos. 01:47:51

21 Q Do you know what Renato's name 01:47:54

22 was? 01:47:57

23 A I only knew him by Renato. 01:47:58

24 Q Did you ever know him as Maynor? 01:48:02

25 A No. Everyone called him Renato, 01:48:06

1 J. Quinteros

2 Renato. 01:48:10

3 Q Do you know what his last name 01:48:10

4 was? 01:48:13

5 A No. 01:48:14

6 Q Was Renato fair and honest with 01:48:15

7 you? 01:48:26

8 A I never had a problem with him. 01:48:26

9 Q Do you like playing soccer with 01:48:29

10 him? 01:48:32

11 A I've never played soccer with 01:48:33

12 him. 01:48:36

13 Q Not even on the job once or 01:48:37

14 twice? 01:48:41

15 A No. That I recall since I 01:48:42

16 started, I never played soccer with him. 01:48:47

17 Q Did you ever play soccer on the 01:48:51

18 job? 01:48:54

19 A No. 01:48:55

20 Q Did you eat breakfast today? 01:48:55

21 A Yes. 01:48:57

22 Q What did you have for breakfast 01:48:58

23 today? 01:49:01

24 A Hispanic breakfast. 01:49:02

25 Q What did you have? 01:49:06

1 J. Quinteros

2 A Beans, cheese, eggs, coffee, 01:49:07
3 cream. 01:49:15

4 Q Did you have it at home? 01:49:15

5 A Yes. 01:49:18

6 Q Do you eat breakfast at home 01:49:19
7 every day? 01:49:25

8 A Not when I go to work. 01:49:26

9 Q When you go to work, you have an 01:49:28
10 egg sandwich; right? 01:49:33

11 MR. McNAMARA: Objection. 01:49:35

12 A No. 01:49:35

13 Q What do you eat for breakfast 01:49:36
14 when you go to work? 01:49:40

15 A Just some cookies and coffee. 01:49:41

16 Q Cookies and coffee. Where do 01:49:45
17 you get the cookies? 01:49:48

18 A At Compare. 01:49:48

19 Q What kind of cookies? 01:49:52

20 A I don't know what they're 01:49:55
21 called. Oreo, I think. 01:49:59

22 Q Do you bring them with you from 01:50:02
23 home, or do you buy them on your way to work? 01:50:05

24 A No, I take it from home. 01:50:10

25 Q Do you always do that? 01:50:15

1 J. Quinteros

2 A Yes. 01:50:18

3 Q Back in 2008, did you do that? 01:50:21

4 A Yes. 01:50:26

5 Q In 2009, did you do that? 01:50:33

6 A Yes. 01:50:36

7 Q Let me ask you a question: How 01:50:38

8 do you remember that if you don't remember 01:50:43

9 anything beyond two weeks? 01:50:46

10 A Because I always take my food. 01:50:49

11 Q But not all of your coworkers 01:50:52

12 would take their food; right? 01:50:57

13 A No, only me. 01:51:00

14 Q They would go have egg 01:51:02

15 sandwiches in the morning; right? 01:51:04

16 A Sometimes; sometimes not. 01:51:08

17 Q They take the company trucks and 01:51:10

18 go get egg sandwiches; right? 01:51:14

19 A Sometimes they would pass by and 01:51:19

20 buy, but not always. They would stop by the 01:51:24

21 7-Eleven for two or three minutes, and they 01:51:28

22 would eat and go to work. 01:51:32

23 Q They wouldn't stop by the deli? 01:51:34

24 A Sometimes. 01:51:38

25 Q Did you ever go with them to the 01:51:39

1 J. Quinteros

2 deli? 01:51:54

3 A Sometimes. 01:51:54

4 Q Did you get coffee when you were 01:51:55

5 at the deli? 01:52:02

6 A A juice or something. 01:52:05

7 Q You know the trucks have GPS; 01:52:09

8 right? 01:52:27

9 A Yes. 01:52:27

10 Q They would tell us how long you 01:52:27

11 were staying at the deli, you know that; 01:52:30

12 right? 01:52:36

13 A I didn't know they had GPSs. I 01:52:38

14 didn't know they had GPSs, really. I didn't 01:52:44

15 drive. I only drove a couple of times, two 01:52:49

16 or three times. 01:52:52

17 Q But you were always driven to 01:52:52

18 the job site in a truck; correct? 01:52:55

19 A Yes. I would go to the yard in 01:53:01

20 my own car, and from there, we would go to 01:53:05

21 the job site. We would go pick up things in 01:53:08

22 the yard; propane, AC, things that sometimes 01:53:12

23 get damaged, camper. Anything that was 01:53:23

24 damaged, we would go and pick up. 01:53:30

25 Q So you'd be at the yard for a 01:53:32

1 J. Quinteros

2 few minutes in the morning before you go; 01:53:37
3 right? 01:53:39

4 A Yes. We would always go to pick 01:53:39
5 up things. 01:53:42

6 Q Of course you would, because 01:53:43
7 that's what all your friends told you to say. 01:53:45

8 MR. McNAMARA: Objection. 01:53:50

9 Q Right? 01:53:50

10 A No. 01:53:50

11 Q Come on. 01:53:51

12 A I'm saying it because it's the 01:53:52
13 truth. 01:53:55

14 Q They all testified that you all 01:53:55
15 got together to work out the story. 01:54:00

16 MR. McNAMARA: Objection. 01:54:02

17 Q Are you saying that that's not 01:54:03
18 true? 01:54:06

19 A No, it's not a story. It's the 01:54:07
20 truth. 01:54:13

21 Q They all said that they all got 01:54:13
22 together to work out what you were going to 01:54:16
23 say. 01:54:20

24 MR. McNAMARA: Objection. 01:54:20

25 Q Is that not correct? 01:54:21

1 J. Quinteros

2 A It's just that it's not a story. 01:54:22
3 It's the truth. 01:54:23

4 Q No, no, listen to me. 01:54:23

5 All your friends testified that 01:54:26
6 you all got together to make sure that you 01:54:29
7 were all telling the same set of facts; is 01:54:34
8 that not correct? 01:54:40

9 A That's not true. 01:54:41

10 Q So you never met with everybody 01:54:42
11 to go over what everybody was going to say? 01:54:46

12 MR. McNAMARA: Objection. 01:54:50

13 A No. 01:54:50

14 Q So they all lied to me? 01:54:51

15 MR. McNAMARA: Objection. 01:54:55

16 Q Is that what you're saying? 01:54:56

17 A (No verbal response.) 01:54:59

18 Q Yes or no? 01:55:05

19 A I'm saying that we would go to 01:55:07
20 pick up things, and you're saying that it's a 01:55:11
21 lie. 01:55:15

22 Q Did you all get together to work 01:55:16
23 out what you were going to say? 01:55:18

24 MR. McNAMARA: Objection. 01:55:21

25 A No. Because they're things that 01:55:23

1 J. Quinteros

2 happened. 01:55:28

3 Q So everybody else lied to me? 01:55:28

4 MR. McNAMARA: Objection. 01:55:32

5 Q All your friends are lying to 01:55:33

6 me; is that what you're saying? 01:55:35

7 MR. McNAMARA: Objection. 01:55:36

8 A We're not lying. 01:55:40

9 Q Well, either they're lying or 01:55:41

10 you're lying right now. Who's lying? 01:55:44

11 MR. McNAMARA: Objection. 01:55:47

12 Counselor, can you move on, please? 01:55:50

13 MR. ZABELL: No. 01:55:51

14 Q Who's lying? Were you lying? 01:55:53

15 A I'm not -- no one is lying. 01:55:58

16 Q So you're all giving two 01:56:02

17 different stories, but nobody is lying; is 01:56:07

18 that what you're saying? 01:56:09

19 MR. McNAMARA: Objection. 01:56:09

20 A (No verbal response.) 01:56:11

21 Q Did Patrick tell you to say 01:56:11

22 that? 01:56:14

23 MR. McNAMARA: Objection. 01:56:15

24 A (No verbal response.) 01:56:21

25 Q Are you going to answer, or are 01:56:23

1 J. Quinteros

2 you just going to look with a blank stare? 01:56:26

3 A I'm not lying. 01:56:30

4 Q Sure, you are. The sooner you 01:56:31

5 admit it, the easier this will be. 01:56:35

6 MR. McNAMARA: Objection. 01:56:39

7 Q Do you live in a house or an 01:56:40

8 apartment? 01:56:45

9 A House. 01:56:47

10 Q Do you own your house? 01:56:48

11 A No. 01:56:50

12 Q Do you rent your house? 01:56:51

13 A Yes. 01:56:54

14 Q From whom do you rent your 01:56:55

15 house? 01:56:58

16 MR. McNAMARA: Objection. 01:57:00

17 A (No verbal response.) 01:57:06

18 Q Are you going to answer? 01:57:07

19 A I don't remember the name of the 01:57:17

20 man. 01:57:23

21 Q Do you write him a check every 01:57:24

22 month to pay your rent? 01:57:28

23 A No. 01:57:30

24 Q Do you give him cash? 01:57:30

25 A Yes. 01:57:32

1 J. Quinteros

2 Q Where do you get this cash? 01:57:34

3 A From what I work. 01:57:37

4 Q Do you get paid in cash? 01:57:46

5 MR. McNAMARA: Objection. 01:57:49

6 A Whom? 01:57:50

7 Q You. Who do you think? 01:57:51

8 A They pay me by check. 01:57:57

9 Q And what do you do with that 01:58:00

10 check? 01:58:02

11 A I go to the bank and exchange it 01:58:03

12 for money. 01:58:10

13 Q You don't have a bank account? 01:58:11

14 A (No verbal response.) 01:58:15

15 Q Are you planning on answering 01:58:37

16 that question? 01:58:40

17 A No. 01:58:51

18 Q Why not? 01:58:51

19 A It's not necessary. 01:58:52

20 Q Yes, it is. 01:59:02

21 Did you go to law school in El 01:59:06

22 Salvador? 01:59:06

23 Mr. McNAMARA: Objection. 01:59:10

24 A No. 01:59:10

25 Q Did you go to law school in the 01:59:11

1 J. Quinteros

2 United States? 01:59:15

3 MR. McNAMARA: Objection. 01:59:15

4 A No. 01:59:18

5 Q Then you don't get to say 01:59:19

6 whether my question is necessary or not. Do 01:59:23

7 you understand that? I am the lawyer, so I 01:59:30

8 get to say what is necessary or not. 01:59:32

9 Do you have a bank account? 01:59:36

10 A Yes. 01:59:39

11 Q Where? 01:59:40

12 A In Chase. 01:59:41

13 Q What branch? 01:59:55

14 A In Brentwood. 02:00:00

15 Q On what street? 02:00:02

16 A On Brentwood Road. 02:00:04

17 Q With whom do you live at 180 02:00:16

18 Elliot Street? 02:00:20

19 A Some friends. 02:00:31

20 Q Who are your friends? 02:00:31

21 A What do you want to know? 02:00:40

22 Q I want to know their names. I 02:00:42

23 just asked you who they are. 02:00:47

24 A Delmira. 02:00:50

25 Q Continue. 02:01:02

1 J. Quinteros

2 A Kenya, Wendy, and I live there. 02:01:04

3 Q You live with all women? 02:01:27

4 A Yes, I live in the house, but 02:01:30

5 not -- I don't live with them. I live there, 02:01:39

6 but not -- I don't -- I live there, but I 02:01:42

7 don't have anything to do with them. 02:01:52

8 Q You all rent a room there? 02:01:53

9 A Yes. 02:01:56

10 Q Do you have any children? 02:01:56

11 A Yes. 02:02:00

12 Q How many children? 02:02:00

13 A Two. 02:02:04

14 Q Do they live in the United States? 02:02:05

15 A Yes. 02:02:08

16 Q Where do they live? 02:02:09

17 A Right there. 02:02:12

18 Q They live with you in the house? 02:02:13

19 A Yes. 02:02:16

20 Q Do you have a wife? 02:02:16

21 A Girlfriend. 02:02:21

22 Q What is your girlfriend's name? 02:02:24

23 A Wendy. I already told you. 02:02:27

24 Q Yes. But you just said that you 02:02:31

25 had nothing to do with the women that live in 02:02:34

1 J. Quinteros

2 the house. 02:02:36

3 A No, because I understood -- I 02:02:37
4 didn't understand the question. 02:02:41

5 Q Before she had your children, 02:02:41
6 did you have anything to do with Wendy? 02:02:45

7 A Those are private things. 02:02:49

8 Q They're private things that 02:02:56
9 you're going to have to answer to. 02:02:59

10 A I'm not going to answer anything 02:03:02
11 about that. That's my private life, my 02:03:08
12 family. 02:03:13

13 Q You told me you live with 02:03:13
14 Delmira, Kenya, and Wendy and that you had 02:03:16
15 nothing to do with them. Then, you said you 02:03:17
16 have two children with Wendy. 02:03:22

17 Are they your children? 02:03:25

18 A Yes. 02:03:28

19 Q So are you involved in a 02:03:28
20 relationship with Wendy? 02:03:31

21 A Yes. She's my girlfriend, I 02:03:34
22 said. 02:03:39

23 Q So you actually live with Wendy? 02:03:39

24 A Yes. 02:03:44

25 Q Do you consider her to be your 02:03:44

1 J. Quinteros

2 wife? 02:03:47

3 MR. McNAMARA: Objection. 02:03:47

4 A She's my girlfriend. I haven't 02:03:49
5 gotten married with her. 02:04:02

6 Q Why not? 02:04:03

7 A I haven't thought about it. 02:04:07

8 Q Is she okay with that? 02:04:10

9 A I think so. 02:04:14

10 Q When was the last time you asked 02:04:19
11 her? 02:04:23

12 A I don't recall. 02:04:24

13 Q What are your children's names? 02:04:27

14 A Steven, Allison. 02:04:31

15 Q How old is Steven? 02:04:39

16 A Five. 02:04:43

17 Q How old is Allison? 02:04:44

18 A Two, almost three. 02:04:47

19 Q Does Steven go to school? 02:04:58

20 A Yes. 02:05:01

21 Q In Brentwood? 02:05:01

22 A Yes. 02:05:03

23 Q Wendy is the mother of both 02:05:04
24 Steven and Allison? 02:05:09

25 A Yes. 02:05:10

1 J. Quinteros

2 Q Do you have any other 02:05:11
3 girlfriends, other than Wendy? 02:05:14

4 A No. 02:05:20

5 Q Kenya? 02:05:20

6 A No. 02:05:21

7 Q Delmira? 02:05:22

8 MR. McNAMARA: Objection. 02:05:23

9 A No. 02:05:30

10 MR. ZABELL: We're going to take 02:05:41
11 a little break. 02:05:44

12 Get him out of my sight. 02:05:47

13 MR. McNAMARA: How long of a 02:05:50
14 break? 02:05:50

15 MR. ZABELL: Let's you and I get 02:05:52
16 together for a few minutes. 02:05:54

17 (Whereupon, a recess was taken 02:05:54
18 from 1:47 p.m. to 2:17 p.m.) 02:35:45

19 Q Only the truth; right? 02:35:45

20 A Only the truth. 02:35:49

21 Q When did you start dating 02:35:51
22 Delmira? 02:35:59

23 MR. McNAMARA: Objection. 02:35:59

24 A Are you kidding? 02:36:02

25 Q No. 02:36:13

1 J. Quinteros

2 MR. McNAMARA: Objection. 02:36:14

3 A My girlfriend is Wendy, not 02:36:16

4 Delmira. 02:36:22

5 Q Please answer my question. 02:36:22

6 MR. McNAMARA: Objection. The 02:36:36

7 witness has already answered your 02:36:39

8 question. 02:36:44

9 MR. ZABELL: No, he hasn't. 02:36:44

10 Q We're waiting for your answer. 02:37:08

11 MR. McNAMARA: Objection. 02:37:13

12 A Since my girlfriend is Wendy, 02:37:14

13 I'm not going to answer anything about 02:37:18

14 Delmira. 02:37:21

15 Q I won't tell Wendy. 02:37:21

16 MR. McNAMARA: Objection. 02:37:26

17 A She's my girlfriend. 02:37:26

18 Q Delmira? 02:37:30

19 MR. McNAMARA: Objection. 02:37:32

20 A Wendy. 02:37:34

21 MR. McNAMARA: Counselor, if you 02:37:59

22 have no further questions, we can wrap 02:38:07

23 this up. 02:38:13

24 MR. ZABELL: You'd like that 02:38:13

25 very much; wouldn't you? 02:38:14

1 J. Quinteros

2 Q Did you ever lie to Wendy? 02:38:14

3 MR. McNAMARA: Objection. 02:38:18

4 A No. 02:38:19

5 Q Never? 02:38:20

6 A Sometimes white lies. Who 02:38:23

7 doesn't lie to their girlfriend? 02:38:32

8 Q It's okay to lie; right? 02:38:39

9 MR. McNAMARA: Objection. 02:38:42

10 A No, it's not okay. 02:38:43

11 Q Then why does everybody lie to 02:38:45

12 their girlfriend? 02:38:50

13 A Because whoever doesn't lie to 02:38:52

14 them, they don't get paid attention to. 02:38:55

15 Q So you have to lie to her to get 02:38:59

16 attention? 02:39:04

17 MR. McNAMARA: Objection. 02:39:04

18 A It's just that you don't lie 02:39:06

19 about everything, just about little things. 02:39:10

20 Q Like Delmira? 02:39:12

21 MR. McNAMARA: Objection. 02:39:15

22 A No. 02:39:16

23 Q She knows about Delmira? 02:39:17

24 MR. McNAMARA: Objection. 02:39:22

25 A My girlfriend is Wendy. 02:39:24

1 J. Quinteros

2 Q But your mistress is Delmira? 02:39:30

3 A No. 02:39:36

4 Q Just once? 02:39:36

5 MR. McNAMARA: Objection. 02:39:39

6 A Not even once. My girlfriend is 02:39:40

7 Wendy. 02:39:43

8 Q Tell the truth. 02:39:55

9 MR. McNAMARA: Objection. 02:39:57

10 A That's the truth. She's my 02:39:57

11 girlfriend. I love her, and there's no one 02:40:03

12 else. 02:40:07

13 Q Delmira? 02:40:08

14 MR. McNAMARA: Objection. 02:40:10

15 A Wendy. 02:40:10

16 Q So you love Wendy? 02:40:11

17 A Yes. 02:40:11

18 Q And there's no one else but 02:40:14

19 Wendy? 02:40:18

20 A I don't understand. 02:40:18

21 Q You're not dating anybody else 02:40:21

22 but Wendy? 02:40:25

23 A No. 02:40:27

24 Q You love her with all your 02:40:27

25 heart? 02:40:30

1 J. Quinteros

2 A Yes. 02:40:30

3 Q But you have no intention of 02:40:31

4 marrying her? 02:40:37

5 MR. McNAMARA: Objection. 02:40:38

6 Q And you lie to her; right? 02:40:40

7 MR. McNAMARA: Objection. 02:40:43

8 A No, no. I don't lie to her. 02:40:44

9 Q You just said you lie to her. 02:40:47

10 What's the matter with you? Everybody is 02:40:47

11 laughing. You just said you lie. Who 02:40:47

12 doesn't lie? You lie so she can pay 02:40:56

13 attention to you. You lie about Delmira. 02:41:00

14 MR. McNAMARA: Objection. 02:41:03

15 A No. When you're getting to know 02:41:06

16 someone, sometimes you tell little white 02:41:14

17 lies. 02:41:19

18 Q What do you tell her; that 02:41:19

19 you're 6'2"? 02:41:22

20 A No. 02:41:23

21 Q Did you tell her that you were 02:41:24

22 rich? 02:41:27

23 MR. McNAMARA: Objection. 02:41:29

24 A No, not that either. 02:41:30

25 Q What did you lie to her about? 02:41:32

1 J. Quinteros

2 A Little things. Sometimes you 02:41:34
3 say that you're going to one store and you go 02:41:38
4 to another. 02:41:44

5 Q And by "store," do you mean 02:41:45
6 women? 02:41:49

7 MR. McNAMARA: Objection. 02:41:50

8 A No. I love my wife -- my 02:41:52
9 girlfriend. 02:42:00

10 Q Wait, wait. Which one? You 02:42:00
11 love your wife and your girlfriend? 02:42:01

12 MR. McNAMARA: Objection. 02:42:03

13 A No, she's my girlfriend. 02:42:05

14 Q Then who's your wife? 02:42:08

15 A I don't have one. She's my 02:42:10
16 girlfriend. 02:42:18

17 Q And you've never lied to her? 02:42:18

18 A No. 02:42:23

19 Q No? You've never lied to her; 02:42:31
20 right? 02:42:36

21 MR. McNAMARA: Objection. 02:42:37

22 A No. 02:42:37

23 Q Why are you lying to me now? 02:42:38

24 A I'm not. 02:42:40

25 Q You just said you lie to her all 02:42:41

1 J. Quinteros

2 the time to get what you want and to get 02:42:45
3 attention. 02:42:49

4 A No. 02:42:49

5 Q Did you not just say you lie to 02:42:50
6 your girlfriend? 02:43:00

7 A No. The thing is, when I was 02:43:02
8 first getting to know her -- I live with her 02:43:07
9 now, but I'm not married to her. I am with 02:43:12
10 her. I don't go out with anyone else. I 02:43:21
11 don't lie to her anymore. 02:43:21

12 Who hasn't lied to a woman about 02:43:22
13 little things? But I'm living with her now. 02:43:26

14 Q So you lied to her so that you 02:43:30
15 could live with her? 02:43:33

16 A No. 02:43:34

17 Q You lied to her so that you 02:43:35
18 could sleep with her? 02:43:37

19 MR. McNAMARA: Objection. 02:43:40

20 A No. 02:43:41

21 Q Little bit? 02:43:41

22 A No. 02:43:47

23 Q Then what did you lie to her 02:43:47
24 for? 02:43:51

25 A We're talking about a different 02:43:53

1 J. Quinteros

2 case. My family is different. 02:44:02

3 Q We're talking about you lying. 02:44:07

4 MR. McNAMARA: Objection. 02:44:10

5 Q If you're willing to lie to the 02:44:11

6 mother of your children and to your roommate 02:44:11

7 Delmira, why wouldn't you be willing to lie 02:44:11

8 to us today? 02:44:19

9 MR. McNAMARA: Objection. 02:44:19

10 A It's just that I'm not lying to 02:44:21

11 my wife -- to my girlfriend. 02:44:25

12 Q You've already admitted to lying 02:44:26

13 to both your wife and your girlfriend. 02:44:30

14 A No. 02:44:32

15 Q You said just when you started 02:44:32

16 dating her, you lied to her. 02:44:36

17 A But you tell them I'm going to a 02:44:40

18 store and maybe you go to another one. When 02:44:44

19 I'm not with her -- now I have children with 02:44:52

20 her, and I love her, and I'm with her. 02:44:56

21 Q What store would you lie about 02:44:59

22 going to? 02:45:04

23 A I don't remember anything about 02:45:08

24 that. 02:45:12

25 Q Did that store serve beer? 02:45:12

1 J. Quinteros

2 A No. 02:45:15

3 Q Were there girls at that store? 02:45:16

4 A No. 02:45:22

5 Q Was there chocolate at that 02:45:23

6 store? 02:45:27

7 A It's possible. Most stores have 02:45:27

8 chocolate. 02:45:33

9 Q Why would you have to lie about 02:45:33

10 going to a store? 02:45:36

11 A I don't know. 02:45:37

12 Q I don't know why, either. 02:45:37

13 That's why I'm asking you. 02:45:40

14 A Maybe so she doesn't say, look, 02:45:42

15 bring me clothes or something. 02:45:48

16 Q Did you ever lie to your mother? 02:45:57

17 A No. 02:46:01

18 Q Did you ever get punished by 02:46:01

19 your mother? 02:46:10

20 A (No verbal response.) 02:46:12

21 Q Sure, you did. 02:46:13

22 A Not that I recall. 02:46:14

23 Q You never got in trouble as a 02:46:16

24 little boy? 02:46:19

25 A No, I always paid attention to 02:46:20

1 J. Quinteros

2 my mother. 02:46:34

3 Q Did you always go where your 02:46:34

4 mother told you to go? 02:46:38

5 A Yes. 02:46:40

6 Q Did you always clean your room? 02:46:41

7 A Yes. 02:46:44

8 Q Did you always watch your 02:46:45

9 brothers and sisters? 02:46:49

10 A Yes. 02:46:51

11 Q And your mother never had to 02:46:52

12 yell at you; right? 02:46:56

13 A No. 02:46:58

14 Q What about your father? 02:46:58

15 A My father was older than my 02:47:00

16 mother, and when I grew up, he was older, and 02:47:05

17 he was only either sitting or laying down. 02:47:14

18 Q And you never lied to your 02:47:18

19 parents to keep out of trouble? 02:47:22

20 A No. 02:47:24

21 Q So the only people in this world 02:47:24

22 that you lied to is your wife and your 02:47:29

23 girlfriend; right? 02:47:33

24 A (No verbal response.) 02:47:33

25 Q Right? 02:47:38

1 J. Quinteros

2 A She's my girlfriend. You said 02:47:38
3 girlfriend. 02:47:45

4 Q That's the only person in this 02:47:45
5 world that you lied to; right? 02:47:49

6 A Little white lies. 02:47:53

7 Q Little white lies are okay 02:47:56
8 because nobody gets hurt, and you get what 02:48:00
9 you want; right? 02:48:06

10 MR. McNAMARA: Objection. 02:48:08

11 A No. 02:48:09

12 Q You don't get what you want from 02:48:09
13 your little white lies? 02:48:13

14 MR. McNAMARA: Objection. 02:48:15

15 A No. 02:48:16

16 Q Why do you lie; just for fun? 02:48:17

17 MR. McNAMARA: Objection. 02:48:25

18 A I don't lie. 02:48:26

19 Q You already told me you lie. 02:48:27

20 A It's just a joke that you play 02:48:31
21 on your girlfriend. 02:48:34

22 Q So she doesn't know about your 02:48:36
23 other girlfriend? 02:48:42

24 A It's just that I don't have 02:48:44
25 another one. 02:48:48

1 J. Quinteros

2 Q You know that nobody believes 02:48:49
3 you; right? 02:48:54

4 MR. McNAMARA: Objection. 02:48:55

5 A I don't know, but what I do know 02:48:56
6 is what I say is the truth. 02:49:00

7 Q Ask Patrick if he believes you. 02:49:02

8 A What do I have to ask Patrick? 02:49:16

9 Q Ask Patrick if he knows Delmira. 02:49:23

10 THE WITNESS: Patrick, do you 02:49:36
11 know Delmira? 02:49:39

12 MR. McNAMARA: I haven't had the 02:49:39
13 pleasure. 02:49:53

14 Q I'm not your girlfriend, so 02:49:53
15 don't lie to me; okay? 02:49:58

16 A Okay, that's fine. 02:50:00

17 Q Who is Victor? 02:50:03

18 A Nelson. 02:50:05

19 Q Is Victor the same name as 02:50:12
20 Nelson? 02:50:16

21 A (No verbal response.) 02:50:17

22 Q Yes or no? 02:50:20

23 A It's the same person. 02:50:22

24 Q Do you know when Victor's last 02:50:23
25 day of work was with Suffolk Paving? 02:50:31

1 J. Quinteros

2 A I don't remember the day. 02:50:34

3 Q Were you there? 02:50:39

4 A Yes. 02:50:40

5 Q What happened? 02:50:41

6 A I don't know. I really -- I 02:50:44

7 didn't hear everything. He spoke with Louie. 02:50:53

8 I didn't really know why they were arguing. 02:51:07

9 I only heard that he told him to leave. 02:51:11

10 Q You heard who tell who to leave? 02:51:15

11 A Louie told Nelson to leave. 02:51:19

12 Q Do you know why? 02:51:25

13 A No. 02:51:29

14 Q Do you know if Nelson ever tried 02:51:30

15 to come back? 02:51:38

16 A No. 02:51:40

17 Q Do you know if Nelson did 02:51:41

18 anything wrong? 02:51:44

19 A No. 02:51:45

20 Q Do you know if Louie did 02:51:46

21 anything wrong? 02:51:50

22 A Like I said, I didn't hear the 02:51:52

23 argument. I only heard that he told him to 02:52:00

24 leave. 02:52:05

25 Q So you don't know if Louie did 02:52:05

1 J. Quinteros

2 anything wrong? 02:52:08

3 A I don't know. 02:52:10

4 Q Are you in a union? 02:52:11

5 A Yes. 02:52:14

6 Q What union? 02:52:15

7 A Local 1298. 02:52:17

8 Q Do you know what the union rules 02:52:22

9 are? 02:52:24

10 A No. 02:52:25

11 Q Did you ever read the collective 02:52:29

12 bargaining agreement? 02:52:35

13 A Excuse me? 02:52:38

14 Q Did you ever read the collective 02:52:39

15 bargaining agreement? 02:52:42

16 A I don't understand the question. 02:52:45

17 Q Do you know what a collective 02:52:46

18 bargaining agreement is? 02:52:56

19 A I don't understand. I can't 02:52:56

20 answer you because I don't understand. 02:52:59

21 Q Do you know if there is a 02:53:00

22 contract between Suffolk Asphalt and the 02:53:03

23 union? 02:53:06

24 A I don't know. 02:53:06

25 Q So you don't know what the work 02:53:06

1 J. Quinteros

2 rules are; right? 02:53:10

3 MR. McNAMARA: Objection. 02:53:11

4 A I don't know what the union 02:53:13

5 rules are. 02:53:23

6 Q Do you know who to complain to 02:53:24

7 at the union if something is wrong? 02:53:27

8 A No. 02:53:34

9 Q Does anybody from the union come 02:53:37

10 down to the job site? 02:53:40

11 A No. 02:53:43

12 Q How did you get in the union? 02:53:45

13 A I went to the office. 02:53:50

14 Q Did you have to pay your dues? 02:53:54

15 A Yes. 02:53:57

16 Q Didn't Louie initially pay for 02:53:58

17 your union membership? 02:54:02

18 A I don't know. He discounted the 02:54:07

19 money that was going to be paid to the union 02:54:13

20 from my check. 02:54:16

21 Q Are you upset about that? 02:54:18

22 A I don't know, I don't know. 02:54:20

23 Q Do you know if he did anything 02:54:22

24 wrong by doing that? 02:54:25

25 MR. McNAMARA: Objection. 02:54:27

1 J. Quinteros

2 A Who? 02:54:29

3 Q Louie. 02:54:31

4 A I don't know. 02:54:34

5 Q Who told you what time to come 02:54:37

6 into work in the morning when you worked for 02:54:42

7 Suffolk Asphalt or Suffolk Paving? 02:54:46

8 A Tommy. 02:54:48

9 Q What time did Tommy tell you to 02:54:51

10 come into work in the morning? 02:54:56

11 A Sometimes 6:00; sometimes 6:30. 02:54:59

12 Q Would you drive to work with 02:55:03

13 anybody? 02:55:06

14 A I would go to the yard. 02:55:07

15 Sometimes I would take Walter. Sometimes -- 02:55:14

16 and sometimes I would take Edwin. 02:55:19

17 Q Did you ever drive directly to a 02:55:24

18 job site in the morning from your home? 02:55:30

19 A About two, three times. 02:55:33

20 Q That was permitted; correct? 02:55:38

21 A No, because they never said 02:55:43

22 that. Sometimes we would call the person in 02:55:49

23 charge, the one that was with us, and he 02:55:58

24 would tell us go there, but only about two or 02:56:02

25 three times. We would always go to the yard 02:56:06

1 J. Quinteros

2 to pick up everything that we were going to 02:56:11
3 use for that workday. 02:56:13

4 Q Who were the people that were in 02:56:13
5 charge that would tell you to go to the job 02:56:18
6 site? 02:56:25

7 A No, there was no one in charge 02:56:25
8 of that. 02:56:28

9 Q You just said sometimes you 02:56:29
10 would call somebody in charge in the morning, 02:56:33
11 and they would tell you to go to the job 02:56:36
12 site. 02:56:38

13 A Not sometimes. 02:56:38

14 Q Are you lying? 02:56:39

15 A Not sometimes. 02:56:41

16 MR. McNAMARA: Objection. 02:56:42

17 A About two times for the whole 02:56:43
18 time that I went to work to the job site; 02:56:47
19 otherwise, I would go to the yard. 02:56:54

20 Q Do you remember what that job 02:56:57
21 site was that you went directly to? 02:57:09

22 A No. 02:57:12

23 Q Why, because it happened more 02:57:13
24 than two weeks ago? 02:57:21

25 A I don't recall. 02:57:23

1 J. Quinteros

2 Q You don't recall because it was 02:57:24
3 more than two weeks ago; right? 02:57:28

4 MR. McNAMARA: Objection. 02:57:31

5 A I don't recall. 02:57:32

6 Q You don't recall because it was 02:57:44
7 more than two weeks ago; right? 02:57:47

8 A It's possible. 02:57:49

9 Q And you don't remember anything 02:57:50
10 more than two weeks ago; right? 02:57:53

11 MR. McNAMARA: Objection. 02:57:55

12 A Nothing about what? 02:57:56

13 Q Exactly. And you don't remember 02:57:58
14 because you fell out of a tree when you were 02:58:04
15 ten; right? 02:58:08

16 MR. McNAMARA: Objection. 02:58:08

17 Q Correct? 02:58:09

18 A Yes. 02:58:10

19 Q Is there anything that you could 02:58:11
20 do that would help you remember? 02:58:16

21 A I don't know. 02:58:19

22 Q Maybe if you spoke to Wendy, you 02:58:23
23 could remember; right? 02:58:28

24 A It's possible. 02:58:33

25 Q Maybe if you spoke to Delmira, 02:58:35

1 J. Quinteros

2 you could remember; right? 02:58:39

3 A Why do I have to speak with her? 02:58:42

4 Q Because she's your girlfriend. 02:58:45

5 MR. McNAMARA: Objection. 02:58:48

6 A My girlfriend is Wendy. 02:58:49

7 Q And sometimes Delmira; right? 02:58:51

8 MR. McNAMARA: Objection. 02:58:53

9 A No. 02:58:54

10 Q Not anymore? 02:58:54

11 MR. McNAMARA: Objection. 02:58:56

12 A I never had anything to do with 02:58:57

13 her. 02:59:00

14 Q Eh, eh, eh. What's the matter; 02:59:00

15 you can't look at me? 02:59:10

16 A Yes. 02:59:12

17 Q No, you can't. Look, you look 02:59:12

18 away. 02:59:18

19 MR. McNAMARA: Objection. 02:59:19

20 Q Why don't you tell us about 02:59:20

21 Delmira. Is she a nice lady? 02:59:24

22 A Why do I have to talk about her? 02:59:31

23 My wife is Wendy -- my girlfriend is Wendy. 02:59:36

24 Q And your girlfriend is Delmira 02:59:41

25 too. You've already told us that. 02:59:43

1 J. Quinteros

2 MR. McNAMARA: Objection. 02:59:44

3 A No. 02:59:47

4 Q You're denying it now? 02:59:48

5 MR. McNAMARA: Objection. 02:59:52

6 A No. 02:59:53

7 Q You're not denying it now? 02:59:53

8 A No. 02:59:57

9 Q I won't tell Wendy. Don't
10 worry. 03:00:02

11 MR. McNAMARA: Objection. 03:00:03

12 Q It's your little secret. 03:00:04

13 Although, the women in this room might not be
14 too happy with you. 03:00:08
03:00:13

15 MR. McNAMARA: Objection. 03:00:16

16 Q Because it's clear that you're
17 fibbing. 03:00:17
03:00:20

18 MR. McNAMARA: Objection. 03:00:20

19 A I'm not lying. 03:00:22

20 Q Sure, you are. It's okay. We
21 know. 03:00:23
03:00:26

22 MR. McNAMARA: Objection. 03:00:27

23 A I'm not lying. 03:00:28

24 Q Sure, you are. 03:00:29

25 A No. 03:00:31

1 J. Quinteros

2 Q Who is Tommy Osmond? 03:00:31

3 A Tommy was the company foreman of 03:00:37
4 Suffolk Asphalt Corporation. 03:00:42

5 Q Tommy Osmond? 03:00:45

6 A I know that his name is Tommy, 03:00:53
7 but I don't know his last name. 03:00:55

8 Q Did you work with a Tommy at 03:00:55
9 Lunati Construction? 03:00:59

10 A No. 03:01:01

11 Q He wasn't a foreman there? 03:01:02

12 A I don't recall. 03:01:07

13 Q You don't recall because it was 03:01:08
14 more than two weeks ago; correct? 03:01:12

15 MR. McNAMARA: Objection. 03:01:14

16 Q Correct? 03:01:16

17 A You're making fun of me; aren't 03:01:17
18 you? 03:01:21

19 Q No, not now. Can you answer the 03:01:21
20 question? You don't remember because it was 03:01:33
21 more than weeks ago; right? 03:01:41

22 A You're continuing to make fun of 03:01:44
23 me. 03:01:48

24 Q No, not about that, and I'm not 03:01:48
25 lying because I don't do that. Not to my 03:01:58

1 J. Quinteros

2 wife, and before she was my wife, my 03:02:04

3 girlfriend -- 03:02:09

4 MR. McNAMARA: Objection. 03:02:09

5 Q -- or my children. I don't even 03:02:11

6 lie to Wendy or Delmira. 03:02:17

7 A Wendy is my wife -- my 03:02:19

8 girlfriend. 03:02:25

9 Q And Delmira? 03:02:25

10 A She's nothing of mine. 03:02:27

11 Q Just a friend? 03:02:30

12 MR. McNAMARA: Objection. 03:02:33

13 A (No verbal response.) 03:02:36

14 Q I don't know why answering this 03:02:54

15 question is so hard for you. It must weigh 03:02:56

16 heavily on your heart. 03:03:01

17 A I already told you that my 03:03:04

18 girlfriend is Wendy. 03:03:14

19 Q And that's all you have to say 03:03:16

20 about that; right? 03:03:18

21 A Yes. 03:03:20

22 Q Just don't lie to me like you 03:03:20

23 lie to Wendy; okay? 03:03:23

24 MR. McNAMARA: Objection. 03:03:25

25 A It's just that I don't lie to 03:03:27

1 J. Quinteros

2 Wendy now that I have my children and I'm 03:03:30
3 with her. 03:03:34

4 Q So you lied to Wendy before you 03:03:35
5 had your children? 03:03:39

6 A Just little things that everyone 03:03:40
7 does. 03:03:45

8 Q Did you tell her she looked good 03:03:45
9 when she didn't? 03:03:51

10 A She always looks pretty. 03:03:53

11 Q Did you tell her that those 03:03:57
12 pants were flattering on her when they 03:04:00
13 weren't? 03:04:06

14 A They always look good on her. 03:04:08

15 Q Then what do you lie to her for; 03:04:11
16 why do you lie to this poor lady? 03:04:15

17 A I don't lie. I maybe said 03:04:19
18 something to her when we weren't together, 03:04:22
19 but I haven't lied to her since I'm with her. 03:04:27
20 Everyone tells little white lies. Don't tell 03:04:32
21 me that. 03:04:37

22 Q You just tell little white lies 03:04:37
23 so you can get what you want; right? 03:04:42

24 MR. McNAMARA: Objection. 03:04:45

25 A No. 03:04:46

1 J. Quinteros

2 Q Then why do you tell little 03:04:46
3 white lies? 03:04:49

4 A It's just that I'm not lying. 03:04:51

5 Q But why do you tell little white 03:04:54
6 lies -- 03:04:58

7 MR. McNAMARA: Objection. 03:04:58

8 Q -- to the mother of your 03:04:59
9 children, or anybody else? 03:05:01

10 MR. McNAMARA: Objection. 03:05:02

11 A It's just that I'm not lying to 03:05:03
12 anyone. 03:05:07

13 Q You just said everybody tells 03:05:08
14 little white lies when you were talking about 03:05:12
15 yourself. 03:05:12

16 Why do you tell little white 03:05:18
17 lies to the mother of your children? Is it 03:05:20
18 so that she would be the mother of your 03:05:24
19 children? 03:05:28

20 A No. Everyone tells their 03:05:28
21 girlfriend a little joke. 03:05:32

22 Q I'm not talking about jokes. 03:05:33
23 I'm talking about lies. 03:05:36

24 A I'm not fooling around. 03:05:38

25 Q A joke is: Why did the chicken 03:05:40

1 J. Quinteros

2 cross the road? A lie is: I'm working late 03:05:45

3 tonight when you go out to the bar. 03:05:52

4 A I don't lie to her. 03:05:56

5 Q Do you go to church? 03:05:59

6 A No. 03:06:02

7 Q I see. Why not? 03:06:02

8 MR. McNAMARA: Objection. 03:06:08

9 A I don't know. 03:06:09

10 Q Is it because they tell you not 03:06:10

11 to lie? 03:06:13

12 MR. McNAMARA: Objection. 03:06:14

13 A No. 03:06:15

14 Q You know they tell you that; 03:06:15

15 right? 03:06:25

16 A I don't know. 03:06:25

17 Q How long have you been dating 03:06:26

18 Wendy? 03:06:39

19 A I don't recall. 03:06:41

20 Q More than two weeks? 03:06:50

21 A I don't recall. 03:06:55

22 Q Do you remember Wendy's full 03:06:56

23 name? 03:07:00

24 A That's her name. 03:07:01

25 Q Just Wendy? 03:07:05

1 J. Quinteros

2 A Wendy. 03:07:12

3 Q Does Wendy have a last name? 03:07:12

4 A Yes. 03:07:15

5 Q Would you like to share that 03:07:15

6 with me? 03:07:18

7 MR. McNAMARA: Objection. 03:07:20

8 A No. 03:07:21

9 Q Good. Now tell me what her last 03:07:21

10 name is. 03:07:27

11 MR. McNAMARA: Objection. 03:07:31

12 A It's not necessary. I'm not 03:07:32

13 going to tell you. 03:07:34

14 Q It is necessary and ask your 03:07:35

15 lawyer. He'll tell you. 03:07:37

16 A (No verbal response.) 03:07:39

17 Q Go ahead, and don't lie to me. 03:07:45

18 A I'm not lying. 03:07:49

19 Q Go ahead. 03:07:51

20 A (No verbal response.) 03:07:53

21 MR. ZABELL: Patrick, tell him 03:08:04

22 to answer the question. 03:08:06

23 MR. McNAMARA: Mr. Quinteros, 03:08:08

24 while I objected to the question, you 03:08:10

25 are still required to answer the 03:08:13

1 J. Quinteros

2 question. 03:08:16

3 A Her last name is Garai 03:08:25

4 (phonetic). 03:08:31

5 Q How do I spell that? 03:08:31

6 A I don't know. 03:08:34

7 Q Did you ever know? 03:08:34

8 A No, I don't know. 03:08:36

9 Q Does Wendy Garai work? 03:08:42

10 A No. 03:08:46

11 Q What is Delmira's last name? 03:08:46

12 A Quintanilla. 03:09:03

13 Q Oh, is she Nelson's sister? 03:09:07

14 A Yes. 03:09:11

15 Q Does Nelson know about you and 03:09:11

16 Delmira? 03:09:19

17 MR. McNAMARA: Objection. 03:09:20

18 A I have nothing to do with 03:09:21

19 Delmira. My girlfriend is Wendy. 03:09:31

20 Q I'm telling Nelson. 03:09:31

21 MR. McNAMARA: Objection. 03:09:34

22 A That's fine. My girlfriend is 03:09:36

23 Wendy. 03:09:39

24 Q You look a little angry. What's 03:09:50

25 the matter? 03:09:53

1 J. Quinteros

2 A No, no. 03:09:54

3 Q You're happy and you're calm? 03:09:55

4 A Yes, yes, relaxed. 03:09:58

5 Q You're relaxed? 03:10:02

6 A Yes. 03:10:04

7 Q I'm telling Nelson. 03:10:05

8 When you began working for 03:10:24

9 Suffolk Paving in 2008, how much did you make 03:10:41

10 an hour; if you remember? 03:10:46

11 A Thirty-four. I'm not sure if it 03:10:54

12 was thirty-four, thirty-five, or something 03:11:08

13 like that. 03:11:09

14 Q In 2009, how much did you make 03:11:09

15 an hour? 03:11:13

16 A Thirty-six, thirty-six, I think. 03:11:14

17 Q In 2010, how much an hour did 03:11:22

18 you make working at Suffolk Asphalt? 03:11:26

19 A Thirty-six, the same. I really 03:11:30

20 don't remember. 03:11:37

21 Q And in 2011, how much did you 03:11:37

22 make an hour? 03:11:42

23 A The same. 03:11:43

24 Q Was overtime time paid at the 03:11:44

25 rate of time-and-a-half? 03:11:48

1 J. Quinteros

2 A Supposedly. It has to be 03:11:50
3 time-and-a-half, but sometimes he would pay 03:12:01
4 one hour, two hours, and he would pay them 03:12:03
5 regular time. 03:12:08

6 Q Great. Do you have any pay 03:12:08
7 stubs that show me that? 03:12:12

8 A I have the stubs, but I don't 03:12:14
9 know on which one because he would pay 03:12:30
10 regular time. 03:12:33

11 Q Do you have those stubs here 03:12:34
12 today? 03:12:37

13 A No. 03:12:37

14 Q Did you give those stubs to your 03:12:38
15 attorney? 03:12:42

16 A No. 03:12:43

17 Q Did they ever ask you for those 03:12:45
18 stubs? 03:12:49

19 A Yes. 03:12:50

20 Q Why didn't you give them to your 03:12:54
21 attorneys if they asked for them? 03:12:56

22 MR. McNAMARA: Objection. 03:12:59

23 A They saw them. 03:13:00

24 Q I asked you if you gave them to 03:13:05
25 them, and you said no. 03:13:08

1 J. Quinteros

2 A (No verbal response.) 03:13:12

3 Q When did they see them? 03:13:17

4 A I don't recall. 03:13:20

5 Q Why; was it more than two weeks 03:13:21

6 ago? 03:13:26

7 MR. McNAMARA: Objection. 03:13:29

8 A (No verbal response.) 03:13:26

9 Q You can answer. 03:13:31

10 A You're always playing with me. 03:13:35

11 You're always kidding around with me. 03:13:46

12 Q I'm not kidding around. 03:13:49

13 A But you always say you don't 03:13:53

14 remember because it was more than two weeks 03:13:59

15 ago. 03:14:02

16 Q Just answer the question. Don't 03:14:02

17 worry your silly, little mind about this. 03:14:06

18 Just answer the question. 03:14:11

19 A (No verbal response.) 03:14:13

20 Q I'm waiting. 03:14:22

21 A (No verbal response.) 03:14:24

22 Q I'm waiting. 03:14:26

23 A (No verbal response.) 03:14:36

24 Q Are you going to answer or what? 03:14:37

25 Are we just going to wait here and stare at 03:15:01

1 J. Quinteros

2 you? 03:15:06

3 A (No verbal response.) 03:15:07

4 Q Are you going to answer, or are 03:15:32

5 we just going to stare at your face? 03:15:37

6 A (No verbal response.) 03:15:41

7 Q Are you thinking about what to 03:16:00

8 get Victor's sister? 03:16:02

9 MR. McNAMARA: Objection. 03:16:06

10 A No. 03:16:06

11 Q Are you thinking about what to 03:16:07

12 get Javier's sister? 03:16:09

13 MR. McNAMARA: Objection. 03:16:12

14 A No. 03:16:12

15 Q What are you thinking about; 03:16:13

16 hair gel? 03:16:21

17 A My children and my girlfriend. 03:16:23

18 Q I told you that I won't tell 03:16:31

19 them about Delmira. 03:16:35

20 MR. McNAMARA: Objection. 03:16:37

21 Q I bet you they already know. 03:16:38

22 A My girlfriend is Wendy. I have 03:16:42

23 nothing to with Delmira. 03:16:45

24 Q So you stopped; you cut it off? 03:16:47

25 MR. McNAMARA: Objection. 03:16:51

1 J. Quinteros

2 A I've never had anything to do 03:16:52
3 with her. 03:16:57

4 Q Nobody believes you on that one. 03:16:58
5 Those are nice sneakers you got 03:17:03
6 there, buddy. Fancy. 03:17:06

7 A No. 03:17:23

8 Q Are they comfortable? 03:17:23

9 MR. McNAMARA: Objection. 03:17:29

10 A Yes. 03:17:29

11 Q Do you usually eat lunch? 03:17:30

12 A Yes. 03:17:33

13 Q Did you eat lunch every day that 03:17:34
14 you worked at Suffolk Paving? 03:17:39

15 A Sometimes some of us would work 03:17:42
16 because the machines would stop, and another 03:17:55
17 one would eat fast. We would eat fast, and 03:18:01
18 then we would put our lunchbox away after 03:18:05
19 eating fast, after taking about five minutes 03:18:11
20 to eat, and then we would go back to work. 03:18:15

21 Q So is the answer to my question, 03:18:19
22 yes, that you would eat lunch every day that 03:18:22
23 you worked at Suffolk Paving? 03:18:26

24 MR. McNAMARA: Objection. 03:18:29

25 A We would eat lunch. 03:18:30

1 J. Quinteros

2 Q So the answer is yes; right? 03:18:32

3 A We would eat lunch. 03:18:36

4 Q Okay. 03:18:38

5 A Can I answer your question? 03:18:40

6 Q You just did. 03:18:42

7 A You're not letting me finish. 03:18:45

8 We would eat lunch sometimes, and not always, 03:18:48

9 and if we ate lunch, we would eat lunch very 03:18:51

10 fast, in five or ten minutes. 03:18:56

11 Q Well, I've been watching you all 03:18:56

12 day, and it doesn't look like you do anything 03:19:00

13 fast. 03:19:02

14 MR. McNAMARA: Objection. 03:19:02

15 Q In fact, of all the people I've 03:19:04

16 deposed, you appear to be the slowest of all 03:19:10

17 of them. 03:19:13

18 MR. McNAMARA: Objection. 03:19:14

19 Q Do you know that? 03:19:15

20 A I don't know that. 03:19:16

21 Q Of course, you don't. Even 03:19:18

22 though it happened today and not two weeks 03:19:23

23 ago. 03:19:28

24 Do you understand that? 03:19:30

25 A Yes. 03:19:31

1 J. Quinteros

2 Q You know why I said two weeks; 03:19:32
3 right? 03:19:39

4 A (No verbal response.) 03:19:40

5 Q Right? 03:19:40

6 MR. McNAMARA: Objection. 03:19:42

7 A (No verbal response.) 03:19:43

8 Q Right? 03:19:44

9 A (No verbal response.) 03:19:45

10 Q Are you just going to stare off 03:19:49
11 into space, or are you going to answer? 03:19:53

12 A I'm going to answer what I know. 03:19:57

13 Q And you only know it if it 03:20:05
14 happened within the last two weeks because 03:20:09
15 after that, you don't remember so well; 03:20:12
16 right? 03:20:12

17 MR. McNAMARA: Objection. 03:20:16

18 A Some things I don't remember. 03:20:16

19 Q You said everything except going 03:20:19
20 to a soccer match, doing laundry, and going 03:20:25
21 shopping. Those are the only things you 03:20:27
22 remember beyond two weeks. 03:20:32

23 MR. McNAMARA: Objection. 03:20:33

24 Q That's what you testified about 03:20:34
25 earlier; wasn't it? 03:20:37

1 J. Quinteros

2 A (No verbal response.) 03:20:41

3 Q Go ahead. Answer. 03:20:42

4 A Some things I remember and 03:20:46

5 others, I don't. 03:20:54

6 MR. ZABELL: Let's take a break. 03:20:56

7 (Whereupon, a recess was taken 03:20:56

8 from 3:02 p.m. to 3:08 p.m.) 03:26:42

9 Q Your name is -- you're looking 03:26:42

10 angry; are you okay? 03:26:48

11 A No, I'm fine. 03:26:50

12 Q You're not angry at all? 03:26:51

13 A No. 03:26:54

14 Q Not even a little bit? 03:26:54

15 A No, I have no reason to be 03:26:54

16 angry. 03:26:56

17 Q You're giving me the stink eye. 03:26:56

18 A No. 03:27:01

19 Q Okay. You're name is Juan 03:27:02

20 Quinteros; correct? 03:27:11

21 A Juan Jose Quinteros. 03:27:12

22 Q Have you ever been known by any 03:27:15

23 other names? 03:27:19

24 A No. 03:27:20

25 Q None? 03:27:21

1 J. Quinteros

2 A None. 03:27:23

3 Q Are you sure? 03:27:25

4 MR. McNAMARA: Objection. 03:27:28

5 A Yes. 03:27:29

6 Q Did you ever lie to get a job? 03:27:30

7 A No. 03:27:35

8 Q Think about that a minute before
9 you answer it again. 03:27:40
03:27:44

10 MR. McNAMARA: Objection. 03:27:45

11 Q Go ahead answer. 03:28:00

12 A I don't lie in order to get a
13 job. 03:28:02
03:28:05

14 Q No, did you ever lie in order to
15 get a job? 03:28:06
03:28:09

16 A No. 03:28:10

17 Q Did you ever get overtime for
18 working more than forty hours in a week? 03:28:11
03:28:14

19 A (No verbal response.) 03:28:22

20 Q Yes or no? 03:28:23

21 A Sometimes, a few times. 03:28:24

22 Q How much overtime would you get
23 paid? 03:28:27
03:28:31

24 A Two, three hours. When he would
25 pay, he would pay three. 03:28:32
03:28:42

1 J. Quinteros

2 Q Did he ever pay more than three 03:28:44
3 hours? 03:28:48

4 A No, not that I recall. 03:28:48

5 Q Not that you recall; right? 03:28:51

6 A Not that I recall. 03:28:57

7 Q If I said there were some weeks 03:28:59
8 you got more than two, three, or four hours 03:29:08
9 of overtime in a week, I would be lying; 03:29:13
10 correct? 03:29:18

11 MR. McNAMARA: Objection. 03:29:18

12 A I don't understand. 03:29:21

13 Q What if I told you that there 03:29:22
14 were some weeks where you were paid more than 03:29:26
15 two or three hours of overtime? 03:29:32

16 A Well, before the lawsuit, he 03:29:38
17 didn't pay, but since the lawsuit, yes, he 03:29:42
18 pays all the hours that we work. 03:29:46

19 Q Do you know when the lawsuit was 03:29:48
20 filed? 03:29:54

21 A In 2009, in November. 03:29:55

22 Q So before November 2009, you 03:30:08
23 never got more than two or three hours of 03:30:12
24 overtime; is that what you're saying? 03:30:16

25 A Not that I recall. 03:30:19

1 J. Quinteros

2 Q Which means it didn't happen; 03:30:21
3 right? 03:30:25

4 MR. McNAMARA: Objection. 03:30:26

5 A I don't understand the question. 03:30:27

6 Q If you're saying that before 03:30:30
7 November 2009, you only got two or three 03:30:33
8 hours of overtime -- 03:30:41

9 A Sometimes, sometimes. Rarely. 03:30:45

10 Q -- and you never got more than 03:30:49
11 that; right? 03:30:51

12 A No. 03:30:53

13 Q You're not lying to me now; 03:30:53
14 right? 03:30:58

15 A No. 03:30:59

16 Q Are you sure? 03:30:59

17 MR. McNAMARA: Objection. 03:31:03

18 A Yes. 03:31:04

19 Q You always looked at your 03:31:04
20 pay stub; correct? 03:31:10

21 A Yes. 03:31:13

22 Q The pay stub always listed the 03:31:15
23 hours that you worked; correct? 03:31:20

24 MR. McNAMARA: Objection. 03:31:26

25 A The hours that we worked were 03:31:28

1 J. Quinteros

2 never there, because we would work fifty or 03:31:36
3 sixty hours a week sometimes, and that wasn't 03:31:40
4 on the stub. It would only say that we 03:31:46
5 worked forty-two, forty-three. I don't 03:31:50
6 remember ever having been paid more. Since 03:31:53
7 the lawsuit, we've been getting paid. 03:32:03

8 Q And the lawsuit was filed in 03:32:07
9 November of 2009; right? 03:32:10

10 A Yes. 03:32:10

11 Q More than two weeks ago; right? 03:32:14

12 A (No verbal response.) 03:32:18

13 Q More than two weeks ago; right? 03:32:19

14 A (No verbal response.) 03:32:23

15 Q Anybody home? 03:32:24

16 A (No verbal response.) 03:32:29

17 Q More than two weeks ago; right? 03:32:31

18 A (No verbal response.) 03:32:39

19 Q Go ahead. You're going to have 03:32:42
20 to answer sooner or later. 03:32:45

21 A (No verbal response.) 03:32:48

22 Q Are you going to answer or what? 03:32:49

23 A (No verbal response.) 03:32:56

24 Q Are you going to answer? 03:32:58

25 A (No verbal response.) 03:33:00

1 J. Quinteros

2 Q You're just going look at us 03:33:01
3 blankly? 03:33:08

4 A Why do you keep fooling around 03:33:09
5 with that? 03:33:14

6 Q You said you don't remember 03:33:14
7 anything after two weeks because you fell out 03:33:17
8 of a tree and hit your head -- 03:33:20

9 MR. McNAMARA: Objection. 03:33:25

10 Q -- so I'm just trying to 03:33:25
11 establish that. 03:33:28

12 The lawsuit was filed more than 03:33:30
13 two weeks ago; right? 03:33:32

14 A (No verbal response.) 03:33:34

15 Q You're the one who told me you 03:33:34
16 don't have a memory, and yet, you're hoping 03:33:34
17 to rely on your memory to bolster your 03:33:34
18 testimony. 03:33:43

19 A I said that I didn't remember 03:33:43
20 some things. 03:33:45

21 (Document consisting of a copy
22 of Mr. Quinteros's pay stub from
23 Suffolk Asphalt Corporation dated
24 8/20/09 was marked as Defendants'
25 Exhibit Number 2, for identification,

1 J. Quinteros

2 as of this date.) 03:33:46

3 Q Okay, Mr. Something, I'm going 03:33:46

4 to show you a document marked Defendants' 03:33:52

5 Exhibit Number 2. (Handing.) 03:33:53

6 Do you know what that is, 03:33:55

7 Mr. Memory? 03:33:57

8 MR. McNAMARA: Objection. 03:33:58

9 A (Perusing.) 03:34:01

10 Q What's that? 03:34:02

11 A (No verbal response.) 03:34:16

12 Q Do you see that document marked 03:34:16

13 as Defendants' Exhibit Number 2 with today's 03:34:20

14 date? What's that? 03:34:25

15 A I don't know. 03:34:27

16 Q You don't know? 03:34:27

17 A No. 03:34:29

18 Q Doesn't that look like a pay 03:34:29

19 stub from Suffolk Asphalt? Do you see that? 03:34:33

20 Do you see Juan J. Quinteros, 164 Timberline 03:34:38

21 Road, Brentwood, New York 11717? Is that 03:34:49

22 you? 03:34:52

23 A Yes. 03:34:52

24 Q Is that the last four digits of 03:34:53

25 the Social Security number that you provided? 03:34:58

1 J. Quinteros

2 MR. McNAMARA: Objection. 03:34:59

3 A (No verbal response.) 03:35:04

4 Q Or you don't know; you can't

5 read that? 03:35:10

6 A (No verbal response.) 03:35:11

7 Q Can you read that? 03:35:13

8 A (No verbal response.) 03:35:15

9 Q Yes or no? 03:35:16

10 A No, that's not my Social

11 Security number. 03:35:22

12 Q But that's your name; right? 03:35:22

13 A Yes, but it's not -- 03:35:25

14 Q Did you ever live at that

15 address, 164 Timberline Road? 03:35:31

16 A Yes, it's Drive. 03:35:32

17 Q It's Timberline Drive? 03:35:37

18 A Yes, but those aren't my last

19 four numbers of my Social. 03:35:47

20 Q Oh, so you gave a different

21 Social Security number? 03:35:54

22 MR. McNAMARA: Objection. 03:35:54

23 A Never, never. 03:35:55

24 Q Never? 03:35:56

25 A Never. 03:35:57

1 J. Quinteros

2 Q I don't believe you. 03:35:58

3 What are the last four digits 03:36:10

4 there? 03:36:14

5 A (No verbal response.) 03:36:20

6 Q What are the last four digits? 03:36:27

7 A There (indicating), it says, 03:36:30

8 3293. Those aren't the last four numbers of 03:36:33

9 my Social. 03:36:33

10 Q What are the last four numbers 03:36:44

11 of your Social? This is good. You're going 03:36:45

12 to like this one. 03:36:53

13 A (No verbal response.) 03:36:53

14 Q What are the last four digits of 03:36:54

15 your Social? 03:36:57

16 MR. McNAMARA: Objection. 03:37:00

17 A It's [REDACTED]. 03:37:01

18 Q You sure? 03:37:08

19 A Yes. 03:37:09

20 Q Do you remember when I asked you 03:37:10

21 before what [REDACTED] was? 03:37:13

22 MR. McNAMARA: Objection. 03:37:19

23 A (No verbal response.) 03:37:23

24 Q Do you remember I asked you that 03:37:24

25 question? 03:37:26

1 J. Quinteros

2 A (No verbal response.) 03:37:26

3 Q Huh; what? 03:37:27

4 MR. McNAMARA: Objection. 03:37:34

5 Counselor. 03:37:36

6 Q It's your Social Security 03:37:36

7 number. You testified to it. 03:37:38

8 A No. 03:37:39

9 Q What's your Social Security 03:37:40

10 number? Give me your full Social Security 03:37:42

11 number. 03:37:44

12 A My Social Security number is 03:37:44

13 [REDACTED]. 03:37:48

14 Q Do you remember testifying 03:38:01

15 earlier today that it ended with [REDACTED]? 03:38:03

16 A No, I didn't say that. I said -- 03:38:08

17 Q Yes, you did. Do you have your 03:38:13

18 Social Security number on you? 03:38:19

19 A I said 32 -- I said [REDACTED]. 03:38:20

20 Q No, you're lying. 03:38:26

21 MR. McNAMARA: Objection. 03:38:28

22 A I'm not lying. 03:38:29

23 Q You're a liar. 03:38:31

24 MR. McNAMARA: Objection. 03:38:33

25 A No, I'm not lying. 03:38:33

1 J. Quinteros

2 Q Do you have your Social Security 03:38:35
3 card on you? 03:38:38

4 A No. 03:38:39

5 Q Where is it? 03:38:39

6 A At home. 03:38:41

7 Q We'll wait while you go get it. 03:38:43

8 A Okay. 03:38:46

9 Q Go ahead. 03:38:47

10 MR. McNAMARA: Counselor, he 03:38:52
11 doesn't need to go get his Social 03:38:55
12 Security card. 03:38:56

13 MR. ZABELL: Sure, he does. Let 03:38:56
14 the record reflect that he's getting up 03:38:59
15 and he's going. 03:39:01

16 MR. McNAMARA: Mr. Quinteros, 03:39:01
17 you can sit down.

18 MR. ZABELL: No, he can't.

19 MR. McNAMARA: You can't just
20 direct him -- it's not part of the
21 order that was previously --

22 MR. ZABELL: No, no. It 03:39:07
23 absolutely is. Especially, when he's 03:39:08
24 testified inconsistently about this. 03:39:08
25 If you'd like, we'll make a huge issue 03:39:13

1 J. Quinteros

2 of this, and we'll go through it. He's 03:39:14
3 already indicated that he has no 03:39:15
4 problem getting up and getting it. 03:39:15

5 I have documents here indicating 03:39:17
6 that it's [REDACTED]. He's telling us it's 03:39:20
7 [REDACTED], even though he's already 03:39:25
8 testified that it's [REDACTED]. Let him get 03:39:29
9 the document, and this way we can 03:39:30
10 determine whether or not he was lying 03:39:32
11 now or lying then. 03:39:36

12 Go get the document. 03:39:37

13 MR. McNAMARA: Let me speak to 03:39:37
14 him in the hall, and then I'll decide 03:39:37
15 whether or not he should go get it. 03:39:37

16 MR. ZABELL: Go, go, go, go. 03:39:43

17 THE WITNESS: You wrote it down 03:39:47
18 wrong, or you asked it wrong, but 03:39:48
19 that's not my Social Security number. 03:39:51

20 MR. ZABELL: Go, go, go, and say 03:39:56
21 hello to Nelson's sister for me. 03:40:00

22 (Whereupon, a recess was taken 03:40:00
23 from 3:21 p.m. to 4:36 p.m.) 04:55:26

24 Q Mr. Quinteros, you went home to 04:55:26
25 get your Social Security card. Where is it? 04:55:35

1 J. Quinteros

2 MR. McNAMARA: Objection. I'm 04:55:44

3 asking that Mr. -- 04:55:44

4 MR. ZABELL: Well, I just asked 04:55:47

5 him a question. You can object after 04:55:47

6 he answers. 04:55:51

7 MR. McNAMARA: Okay. 04:55:54

8 Q Where is it? 04:55:54

9 MR. McNAMARA: You can leave it
10 in your pocket.

11 I'm directing the witness to not
12 produce his Social Security card --

13 Q Where is it?

14 MR. McNAMARA: -- pursuant to
15 the protective order.

16 Q Did you bring it? 04:55:59

17 A Yes. 04:55:59

18 Q Where is it; in your pocket? 04:55:59

19 A Yes. 04:56:06

20 Q Did you put it there two weeks 04:56:06

21 ago? 04:56:10

22 A No, now. 04:56:10

23 MR. McNAMARA: Objection. 04:56:12

24 Q You remember; right? 04:56:13

25 A Yes. 04:56:14

1 J. Quinteros

2 Q Because it wasn't two weeks ago 04:56:15
3 that you put it there; right? 04:56:18

4 MR. McNAMARA: Objection. 04:56:21

5 Q Remember when you were telling 04:56:22
6 me that you never got more than maybe one, 04:56:25
7 two, three, or four hours overtime before the 04:56:29
8 lawsuit? 04:56:33

9 A Yes. 04:56:34

10 (Document consisting of a copy
11 of Mr. Quinteros's pay stub from
12 Suffolk Asphalt Corporation dated
13 8/27/09 was marked as Defendants'
14 Exhibit 3, for identification, as of
15 this date.)

16 Q I'm going to show you 04:56:35
17 Defendants' Exhibit Number 3. (Hanging.) 04:56:39
18 Do you see that? 04:56:42

19 A (Perusing.) 04:56:44

20 Q Do you know what that is? 04:56:45

21 A (No verbal response.) 04:56:48

22 Q Do you know what it is; yes or 04:56:50
23 no? 04:56:52

24 MR. McNAMARA: Objection. 04:56:52

25 A But what year is this from? 04:56:55

1 J. Quinteros

2 Q You tell me, you can read. 04:57:01

3 A (No verbal response.) 04:57:04

4 Q Come on. I don't have all day. 04:57:10

5 We just waited for you for nothing. You 04:57:17

6 wasted our time. These ladies are very 04:57:21

7 expensive; worth it, but expensive. 04:57:25

8 A This is from 2009. 04:57:32

9 Q Look, what is this? Is that 04:57:34

10 your pay stub? 04:57:37

11 A Yes. 04:57:38

12 Q Does it show the hours that you 04:57:38

13 worked? 04:57:41

14 A That's my -- 04:57:42

15 Q Yes or no? 04:57:46

16 A Yes, it's from 2009. 04:57:47

17 Q Does this show that this was 04:57:48

18 from before the lawsuit? 04:57:52

19 MR. McNAMARA: Counselor, please 04:57:52

20 lower your voice. 04:57:55

21 A I don't recall. 04:57:55

22 Q Why, the lawsuit was more than 04:57:56

23 two weeks ago? 04:58:00

24 A I don't remember. 04:58:02

25 Q Do you remember that you 04:58:04

1 J. Quinteros

2 testified that the lawsuit was November of 04:58:07
3 2009? 04:58:12

4 A Yes, but -- 04:58:12

5 Q This shows that you earned nine 04:58:14
6 hours of overtime; right? 04:58:17

7 A (No verbal response.) 04:58:22

8 Q Right? 04:58:22

9 A But that's after -- 04:58:24

10 Q Yes or no? 04:58:27

11 MR. McNAMARA: Objection. 04:58:28

12 A That's after the lawsuit. 04:58:29

13 Q Yes or no? 04:58:32

14 A I said that after the lawsuit, 04:58:33
15 they paid. 04:58:37

16 Q You're a liar. 04:58:37

17 MR. McNAMARA: Objection. 04:58:37

18 Q Right. And this is from before 04:58:37
19 the lawsuit; right, this is before? 04:58:40

20 MR. McNAMARA: Objection. 04:58:44

21 A (No verbal response.) 04:58:44

22 Q Before; correct, September of 04:58:47
23 2009? September is before December; right? 04:58:53
24 Even in El Salvador; right? 04:58:57

25 MR. McNAMARA: Objection. 04:59:00

1 J. Quinteros

2 A (No verbal response.) 04:59:03

3 Q Right? 04:59:06

4 A (No verbal response.) 04:59:07

5 Q Right, hotshot? Disgusting. 04:59:15

6 (Document consisting of a copy

7 of Mr. Quinteros's pay stub from

8 Suffolk Asphalt Corporation dated

9 9/24/09 was marked as Defendants'

10 Exhibit Number 4, for identification,

11 as of this date.)

12 Q I'm going to show you a document 04:59:21

13 marked with today's date as Defendants' 04:59:21

14 Exhibit Number 4. (Handing.) 04:59:21

15 Do you know what that is? Let 04:59:25

16 me help you. Juan Quinteros, is that you? 04:59:31

17 A Yes. 04:59:31

18 Q Does that say "Juan Quinteros" 04:59:32

19 on there? 04:59:34

20 A Yes. 04:59:34

21 Q You were at 164 Timberline; 04:59:35

22 right? 04:59:39

23 A Yes. 04:59:39

24 Q This is a pay stub for you; 04:59:40

25 correct? 04:59:43

1 J. Quinteros

2 A (No verbal response.) 04:59:44

3 Q Yes or no? 04:59:45

4 A (No verbal response.) 04:59:46

5 Q Yes or no? 04:59:47

6 A Yes, but -- 04:59:48

7 Q Yes, but nothing. This is 04:59:50

8 September 24, 2009; correct? 04:59:55

9 A September 24, 2009. 04:59:59

10 Q Do you see that? 05:00:06

11 A (No verbal response.) 05:00:07

12 Q Yes? You can shake your head up 05:00:08

13 and down or side to side if the cat has your 05:00:16

14 tongue. 05:00:20

15 MR. McNAMARA: Objection. 05:00:20

16 A (No verbal response.) 05:00:25

17 Q Right? Do you see that, 05:00:29

18 September 24, 2009? If you can't read it, 05:00:30

19 you let me know. It's just numbers. Numbers 05:00:34

20 are numbers; right? 05:00:42

21 A (No verbal response.) 05:00:44

22 Q Yes or no? 05:00:45

23 A (No verbal response.) 05:00:46

24 Q Come on. 05:00:47

25 A That must be -- we went -- we 05:00:48

1 J. Quinteros

2 worked twenty-four hours in Riverhead, and he 05:00:58
3 only paid sixteen, and we worked twenty-four 05:01:02
4 hours. 05:01:06

5 Q Listen. What does that say? 05:01:06
6 Does that say September 24, 2009? 05:01:09

7 A It -- 05:01:09

8 Q Just answer the question; yes or 05:01:15
9 no? 05:01:19

10 A (No verbal response.) 05:01:19

11 Q Don't think about lying. Just 05:01:20
12 say yes or no, that that's September 24, 2009. 05:01:24

13 A (No verbal response.) 05:01:28

14 Q No more white lies. Just answer 05:01:29
15 the question. 05:01:36

16 A (No verbal response.) 05:01:37

17 Q Is that a nine; yes or no? 05:01:40

18 A (No verbal response.) 05:01:43

19 Q Hey. 05:01:44

20 A Yes. 05:01:44

21 Q Is that twenty-four? 05:01:46

22 A I don't know where they got that 05:01:48
23 from, because that's not my Social Security 05:01:52
24 number. 05:01:54

25 Q That's the Social Security 05:01:54

1 J. Quinteros

2 number you testified to before, and that's 05:01:56
3 the Social Security number that you're 05:01:59
4 refusing to provide your card now, even 05:02:00
5 though you say you haven't -- 05:02:04

6 A That's not my Social. 05:02:04

7 Q That's the only number that you 05:02:07
8 provided to us and to Ralph Lunati; okay, 05:02:10
9 tough guy? You know that's the only number 05:02:14
10 you provided, okay. 05:02:17

11 So does that say September 24, 05:02:21
12 2009? 05:02:25

13 A Yes, but -- 05:02:25

14 Q Does that say September 24, 2009? 05:02:27
15 MR. McNAMARA: Objection. 05:02:27

16 A Yes, but that's -- that's not my 05:02:29
17 Social -- 05:02:34

18 Q How much overtime did you get 05:02:34
19 that week? 05:02:37

20 A That's not -- 05:02:38

21 Q How much overtime? 05:02:39

22 A That's not my Social. 05:02:41

23 Q How much overtime? 05:02:41

24 A That's not my Social -- 05:02:42

25 Q Hey, hey, look at me. Look at 05:02:42

1 J. Quinteros

2 me.

05:02:46

3 A That's not my Social.

05:02:46

4 Q How much overtime did you get?

05:02:49

5 A That's not my Social --

05:02:50

6 Q I don't care. You already

05:02:51

7 testified that it was. You've embarrassed

05:02:54

8 yourself. You know what? Get out of my

05:02:59

9 office. Get out. You've disgusted me.

10 You're an embarrassment to yourself.

11 MR. McNAMARA: Objection.

12 MR. ZABELL: Get out.

13 Patrick, go run after your

14 client.

15 THE WITNESS: It's not my

05:03:13

16 Social.

05:03:15

17 MR. ZABELL: Yeah, right, it's

05:03:15

18 not your Social. You know what?

05:03:15

19 You're an embarrassment. Good luck in

05:03:22

20 life.

05:03:23

21 MR. McNAMARA: I don't know what

05:03:23

22 that was.

05:03:23

23 MR. ZABELL: I think you just

05:04:43

24 said, "I don't know what that was,"

05:04:44

25 with regard to your client and why he

05:04:46

1 J. Quinteros

2 was refusing to answer the question; 05:04:48
3 right? 05:04:52

4 MR. McNAMARA: Hold on -- 05:04:52

5 MR. ZABELL: Didn't you just 05:04:55
6 walk in and say that? 05:04:57

7 MR. McNAMARA: I don't know what 05:04:58
8 the last five minutes were all about. 05:05:00

9 MR. ZABELL: Of him refusing to 05:05:02
10 answer the question, and saying that 05:05:04
11 that's not his Social. Now he's not 05:05:16
12 going to provide it, plus that was a 05:05:17
13 Social Security number that he 05:05:20
14 previously testified was his and the 05:05:22
15 Social Security number that you gave us 05:05:24
16 in documents and discovery. These are 05:05:26
17 things that just happened. 05:05:28

18 We have to bring him back to 05:05:32
19 depose him again. 05:05:46

20 MR. McNAMARA: Well, I'm 05:05:46
21 objecting to having a further 05:05:50
22 deposition of the witness. 05:05:53

23 MR. ZABELL: Of course, you are, 05:05:54
24 but that's going to happen no matter 05:05:55
25 what. 05:05:58

1 J. Quinteros

2 MR. McNAMARA: Okay. 05:06:00

3 MR. ZABELL: I think that Lauren 05:06:00

4 and Ian should pay for the interpreter 05:06:09

5 and the court reporter for the hour 05:06:12

6 that we waited. 05:06:16

7 MR. McNAMARA: I'll let them 05:06:18

8 know. 05:06:20

9 MR. ZABELL: Shall we close the 05:06:21

10 record? 05:06:32

11 MR. McNAMARA: Let's close the 05:06:32

12 record. 05:06:35

13 (Time noted: 4:47 p.m.)

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A C K N O W L E D G E M E N T

STATE OF NEW YORK)

: ss

COUNTY OF)

I, JUAN QUINTEROS, hereby certify that I
have read the transcript of my testimony
taken under oath in my deposition of
October 11, 2011; that the transcript is a
true, complete and correct record of my
testimony; and that the answers on the record
as given by me are true and correct.

JUAN QUINTEROS

Signed and subscribed to before me
this ____ day of _____, 2011.

Notary Public, State of New York

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX TO TESTIMONY

<u>WITNESS</u>	<u>EXAMINATION BY</u>	<u>PAGE</u>
Juan Quinteros	Mr. Zabell	4

EXHIBITS

<u>DEFENDANTS '</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1	Document consisting of a copy of Mr. Quinteros's driver's license	64
2	Document consisting of a copy of Mr. Quinteros's pay stub from Suffolk Asphalt Corporation dated 8/20/09	123
3	Document consisting of a copy of Mr. Quinteros's pay stub from Suffolk Asphalt Corporation dated 8/27/09	131
4	Document consisting of a copy of Mr. Quinteros's pay stub from Suffolk Asphalt Corporation dated 9/24/09	134

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, KAREN M. LaMENDOLA, a Notary Public
in and for the State of New York, do hereby
certify:

THAT the witness whose testimony is
hereinbefore set forth, was duly sworn by me;
and

THAT the within transcript is a true
record of the testimony given by said
witness.

I further certify that I am not
related, either by blood or marriage, to any
of the parties in this action; and

THAT I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 1st day of November, 2011.

KAREN M. LaMENDOLA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ERRATA SHEET

I wish to make the following changes for
the following reasons:

PAGE	LINE	
		CHANGE: _____
		REASON: _____
		CHANGE: _____
		REASON: _____
		CHANGE: _____
		REASON: _____
		CHANGE: _____
		REASON: _____
		CHANGE: _____
		REASON: _____
		CHANGE: _____
		REASON: _____
		CHANGE: _____
		REASON: _____
		CHANGE: _____
		REASON: _____
		CHANGE: _____
		REASON: _____

	2004 [10] - 34:15, 38:2, 38:12, 38:23, 39:3, 39:6, 40:10, 61:10, 62:19, 62:25 2005 [4] - 36:25, 37:3, 38:23, 39:3 2006 [5] - 37:8, 37:10, 38:16, 38:25, 61:15 2007 [4] - 37:13, 38:2, 38:16, 38:25 2008 [12] - 17:17, 17:21, 37:17, 38:3, 38:12, 38:16, 65:24, 67:21, 68:15, 68:21, 73:3, 111:9 2009 [23] - 56:15, 66:4, 66:9, 66:25, 68:4, 68:7, 73:5, 111:14, 120:21, 120:22, 121:7, 122:9, 132:8, 132:16, 133:3, 133:23, 135:8, 135:9, 135:18, 136:6, 136:12, 137:12, 137:14 2010 [5] - 64:4, 64:5, 67:5, 68:10, 111:17 2011 [8] - 1:14, 67:11, 67:19, 68:13, 111:21, 141:11, 141:21, 143:18 24 [7] - 135:8, 135:9, 135:18, 136:6, 136:12, 137:11, 137:14 2:17 [1] - 84:18	5	56:8, 56:11, 56:14, 56:25, 57:4, 57:13, 65:9, 100:24, 101:3, 101:7, 101:10, 104:14, 104:21, 113:6, 113:15, 116:23, 122:11, 122:13, 122:17, 123:13, 130:21, 131:2, 132:23 AGREED [3] - 3:3, 3:8, 3:12 agreed [1] - 23:11 agreement [5] - 35:10, 39:18, 97:12, 97:15, 97:18 ahead [9] - 40:22, 47:20, 54:10, 109:17, 109:19, 118:3, 119:11, 122:19, 128:9 alcohol [1] - 6:24 ALEJANDRO [1] - 1:3 ALEX [1] - 1:4 Allison [3] - 83:14, 83:17, 83:24 almost [1] - 83:18 alone [1] - 8:23 ALSO [1] - 2:23 AMAYA [1] - 1:3 Amendment [1] - 42:25 AMIR [1] - 1:4 AND [3] - 3:3, 3:8, 3:12 angry [4] - 110:24, 118:10, 118:12, 118:16 answer [121] - 6:9, 6:10, 6:12, 6:15, 7:12, 9:23, 10:3, 10:24, 11:5, 12:2, 13:13, 14:19, 15:8, 15:19, 17:6, 18:4, 18:6, 18:8, 18:9, 18:11, 18:12, 18:17, 19:24, 20:19, 20:21, 21:20, 22:7, 22:10, 23:19, 23:25, 25:2, 25:7, 25:12, 25:17, 25:20, 25:25, 26:14, 26:22, 26:24, 26:25, 27:3, 28:19, 30:12, 33:9, 33:23, 34:25, 35:3, 35:4, 35:23, 36:10, 36:13, 38:8, 39:12, 40:6, 40:13, 40:15, 40:17, 40:19, 41:6, 41:14, 42:6, 42:14, 42:21, 43:3, 43:6, 43:8, 44:6,	45:3, 46:2, 46:8, 47:7, 47:9, 47:12, 47:23, 47:25, 48:12, 49:2, 49:7, 53:17, 54:4, 54:10, 55:3, 55:6, 55:9, 55:10, 55:12, 56:20, 60:9, 77:25, 78:18, 82:9, 82:10, 85:5, 85:10, 85:13, 97:20, 104:19, 109:22, 109:25, 113:9, 113:16, 113:18, 113:24, 114:4, 115:21, 116:2, 116:5, 117:11, 117:12, 118:3, 119:9, 119:11, 122:20, 122:22, 122:24, 136:8, 136:14, 139:2, 139:10 answered [1] - 85:7 answering [12] - 11:24, 20:5, 20:10, 20:12, 28:16, 42:10, 45:8, 48:13, 48:24, 66:18, 79:15, 105:14 answers [10] - 4:5, 5:23, 6:3, 6:4, 21:12, 35:7, 39:14, 52:20, 130:6, 141:13 apartment [1] - 78:8 apologize [1] - 63:13 appear [1] - 116:16 appropriate [2] - 12:12, 25:6 AREVALO [1] - 1:4 arguing [1] - 96:8 argument [1] - 96:23 Arias [1] - 2:24 arising [2] - 35:7, 39:15 arms [1] - 61:3 arrive [1] - 28:17 Article [1] - 1:20 Asphalt [20] - 66:8, 66:10, 66:24, 67:2, 67:6, 67:9, 67:13, 67:18, 68:5, 97:22, 99:7, 104:4, 111:18, 123:23, 124:19, 131:12, 134:8, 142:11, 142:13, 142:16 ASPHALT [1] - 1:11 assistance [1] - 12:18 ASSOCIATES [1] - 2:17 assume [1] - 70:7 ate [1] - 116:9
'93 [1] - 58:23 '98 [3] - 17:19, 17:24, 28:20		501 [2] - 2:5, 2:14		
0		6		
061-92-3253 [1] - 127:13 061-92-3293 [4] - 59:19, 59:21, 60:2, 126:21 09-CV-5331 [1] - 1:10		6'2 [1] - 88:19 64 [1] - 142:9 6:00 [1] - 99:11 6:30 [1] - 99:11		
1		7		
1 [3] - 64:8, 64:11, 142:8 1-5 [1] - 1:12 10017 [2] - 2:5, 2:14 11 [2] - 1:14, 141:11 11704 [1] - 2:10 11716 [1] - 2:19 11717 [2] - 4:19, 124:21 11:40 [1] - 1:15 11:52 [1] - 13:5 123 [1] - 142:11 1298 [1] - 97:7 12:04 [1] - 13:5 12:20 [1] - 22:20 12:24 [1] - 22:20 131 [1] - 142:14 134 [1] - 142:16 164 [3] - 124:20, 125:15, 134:21 180 [4] - 4:18, 63:23, 63:25, 80:17 1998 [2] - 17:21, 28:21 1999 [2] - 29:11, 29:13 1:47 [1] - 84:18 1st [1] - 143:18		7-Eleven [1] - 73:21		
		8		
		8/20/09 [2] - 123:24, 142:11 8/27/09 [2] - 131:13, 142:14 868 [1] - 2:9		
		9		
		9/24/09 [2] - 134:9, 142:16		
		A		
		a.m [2] - 1:15, 13:5 ability [2] - 4:7, 7:3 above-mentioned [1] - 1:23 absolutely [3] - 9:25, 24:15, 128:23 AC [1] - 74:22 account [2] - 79:13, 80:9 action [1] - 143:14 additional [1] - 12:18 address [2] - 4:17, 125:15 administer [1] - 3:15 Administration [1] - 43:19 admit [1] - 78:5 admitted [1] - 91:12 advise [1] - 22:10 advising [1] - 39:20 affected [1] - 17:11 ago [36] - 8:20, 15:21, 16:2, 16:5, 16:8, 16:11, 17:4, 24:13, 36:20, 49:19, 51:25, 52:11, 56:5,		
	3			
	3 [3] - 131:14, 131:17, 142:12 31 [1] - 1:21 32 [1] - 127:19 3253 [3] - 126:17, 127:19, 129:7 3293 [4] - 126:8, 127:15, 129:6, 129:8 3:02 [1] - 118:8 3:08 [1] - 118:8 3:21 [1] - 129:23			
	4			
	4 [4] - 134:10, 134:14, 142:4, 142:15 4875 [2] - 1:16, 2:18 4:36 [1] - 129:23 4:47 [1] - 140:13			
2				
2 [4] - 123:25, 124:5, 124:13, 142:10 2000 [2] - 29:18, 34:21 2001 [1] - 32:23 2002 [1] - 33:11 2003 [3] - 34:5, 34:9, 34:21				

<p>attention [5] - 86:14, 86:16, 88:13, 90:3, 92:25</p> <p>attorney [25] - 8:14, 8:18, 9:2, 10:3, 11:14, 11:18, 14:25, 18:19, 18:22, 22:8, 25:21, 25:22, 26:21, 26:23, 40:12, 41:2, 41:10, 41:25, 42:3, 42:4, 42:13, 42:14, 47:10, 47:20, 112:15</p> <p>attorney's [2] - 19:12, 41:11</p> <p>attorneys [2] - 3:4, 112:21</p> <p>Attorneys [2] - 2:4, 2:18</p> <p>authorized [1] - 3:14</p> <p>Avenue [2] - 2:5, 2:14</p>	<p>biting [1] - 61:4</p> <p>blank [3] - 12:14, 13:16, 78:2</p> <p>blankly [1] - 123:3</p> <p>blood [1] - 143:13</p> <p>body [1] - 60:22</p> <p>Bohemia [2] - 1:16, 2:19</p> <p>bolster [1] - 123:17</p> <p>born [1] - 27:20</p> <p>boy [1] - 92:24</p> <p>branch [1] - 80:13</p> <p>break [8] - 13:6, 13:11, 21:10, 21:21, 22:9, 84:11, 84:14, 118:6</p> <p>breakfast [5] - 71:20, 71:22, 71:24, 72:6, 72:13</p> <p>Brentwood [7] - 4:18, 63:20, 63:22, 80:14, 80:16, 83:21, 124:21</p> <p>bring [4] - 72:22, 92:15, 130:16, 139:18</p> <p>brothers [1] - 93:9</p> <p>brought [1] - 5:5</p> <p>buddy [1] - 115:6</p> <p>but.. [1] - 9:20</p> <p>buy [2] - 72:23, 73:20</p> <p>BY [3] - 2:20, 4:12, 142:3</p>	<p>CASTILLO [1] - 1:6</p> <p>cat [1] - 135:13</p> <p>certification [1] - 3:6</p> <p>certify [3] - 141:8, 143:5, 143:12</p> <p>change [2] - 65:15, 65:21</p> <p>CHANGE [10] - 144:6, 144:8, 144:10, 144:12, 144:14, 144:16, 144:18, 144:20, 144:22, 144:24</p> <p>changes [2] - 65:13, 144:3</p> <p>characterize [1] - 13:22</p> <p>charge [7] - 69:8, 69:12, 70:16, 99:23, 100:5, 100:7, 100:10</p> <p>Chase [1] - 80:12</p> <p>check [2] - 31:6, 33:4, 33:14, 34:9, 34:17, 37:5, 37:6, 37:12, 37:16, 50:12, 50:19, 50:23, 51:9, 62:15, 62:20, 63:3, 66:22, 78:21, 79:8, 79:10, 98:20</p> <p>checks [4] - 66:23, 67:2, 67:7, 67:17</p> <p>cheese [1] - 72:2</p> <p>chicken [1] - 107:25</p> <p>child [1] - 14:5</p> <p>children [14] - 81:10, 81:12, 82:5, 82:16, 82:17, 91:6, 91:19, 105:5, 106:2, 106:5, 107:9, 107:17, 107:19, 114:17</p> <p>children's [1] - 83:13</p> <p>chocolate [2] - 92:5, 92:8</p> <p>choice [3] - 18:10, 42:20, 46:4</p> <p>CHRISTOPHER [1] - 1:11</p> <p>church [1] - 108:5</p> <p>City [1] - 15:2</p> <p>Civil [1] - 1:21</p> <p>claim [3] - 61:19, 61:23, 62:12</p> <p>claiming [1] - 62:7</p> <p>clean [2] - 68:20, 93:6</p> <p>clear [6] - 13:20, 47:13, 47:15, 47:18, 48:3, 103:16</p> <p>clearly [2] - 24:2, 42:9</p>	<p>client [4] - 9:16, 21:11, 138:14, 138:25</p> <p>clock [1] - 52:20</p> <p>close [2] - 140:9, 140:11</p> <p>clothes [1] - 92:15</p> <p>Co [2] - 2:9, 2:13</p> <p>Co-Counsel [2] - 2:9, 2:13</p> <p>coffee [4] - 72:2, 72:15, 72:16, 74:4</p> <p>collective [3] - 97:11, 97:14, 97:17</p> <p>college [1] - 59:5</p> <p>comfortable [1] - 115:8</p> <p>coming [2] - 8:15, 24:20</p> <p>company [3] - 67:8, 73:17, 104:3</p> <p>Compare [1] - 72:18</p> <p>complain [1] - 98:6</p> <p>complaint [1] - 62:2</p> <p>complete [2] - 17:6, 141:12</p> <p>complies [1] - 64:15</p> <p>comprende [1] - 55:21</p> <p>confidential [2] - 35:9, 39:17</p> <p>confidentiality [5] - 35:10, 35:16, 35:20, 39:18, 39:23</p> <p>confused [3] - 17:19, 17:22, 17:23</p> <p>consider [1] - 82:25</p> <p>consisting [8] - 64:6, 123:21, 131:10, 134:6, 142:8, 142:10, 142:12, 142:15</p> <p>Construction [1] - 104:9</p> <p>continue [3] - 10:9, 16:23, 80:25</p> <p>continuing [1] - 104:22</p> <p>contract [1] - 97:22</p> <p>conversation [1] - 23:4</p> <p>cookies [4] - 72:15, 72:16, 72:17, 72:19</p> <p>copy [9] - 64:6, 64:18, 123:21, 131:10, 134:6, 142:8, 142:10, 142:13, 142:15</p> <p>CORP [2] - 1:11</p> <p>Corporation [13] - 66:8, 66:24, 67:6, 67:9, 67:14, 67:19,</p>	<p>104:4, 123:23, 131:12, 134:8, 142:11, 142:14, 142:16</p> <p>correct [42] - 6:13, 17:5, 17:8, 19:13, 33:7, 33:21, 34:2, 34:12, 36:20, 36:23, 49:5, 49:9, 49:24, 50:14, 50:16, 50:20, 50:24, 51:3, 51:6, 51:8, 51:20, 57:10, 57:20, 57:24, 66:2, 66:10, 74:18, 75:25, 76:8, 99:20, 101:17, 104:14, 104:16, 118:20, 120:10, 121:20, 121:23, 133:22, 134:25, 135:8, 141:12, 141:14</p> <p>Counsel [2] - 2:9, 2:13</p> <p>counselor [4] - 44:24, 53:14, 128:10, 132:19</p> <p>Counselor [17] - 21:9, 35:22, 36:10, 40:5, 43:9, 44:14, 44:16, 46:6, 47:24, 48:21, 53:3, 53:4, 53:5, 53:7, 77:12, 85:21, 127:5</p> <p>counter [1] - 6:22</p> <p>countries [2] - 27:25, 28:12</p> <p>country [9] - 17:13, 24:9, 24:13, 24:22, 25:9, 58:5, 58:6, 58:19, 59:10</p> <p>COUNTY [1] - 141:6</p> <p>couple [1] - 74:15</p> <p>course [4] - 52:7, 75:6, 116:21, 139:23</p> <p>Court [4] - 1:24, 3:17, 12:17, 46:11</p> <p>court [2] - 56:3, 140:5</p> <p>COURT [1] - 1:2</p> <p>courtesy [1] - 22:14</p> <p>coworkers [1] - 73:11</p> <p>cream [1] - 72:3</p> <p>cross [1] - 108:2</p> <p>crossing [1] - 61:3</p> <p>current [1] - 4:17</p> <p>cut [1] - 114:24</p> <p>cute [3] - 53:18, 53:19, 53:20</p>
B				
<p>Babylon [1] - 2:10</p> <p>bad [1] - 13:23, 13:24, 14:2, 27:13, 33:7, 33:21, 34:2, 34:12, 57:9, 57:20, 57:22</p> <p>bang [1] - 14:4</p> <p>bank [3] - 79:11, 79:13, 80:9</p> <p>bar [1] - 108:3</p> <p>bargaining [3] - 97:12, 97:15, 97:18</p> <p>basis [1] - 46:24</p> <p>beans [1] - 72:2</p> <p>bearing [1] - 24:16</p> <p>beer [1] - 91:25</p> <p>BEFORE [1] - 1:18</p> <p>began [1] - 111:8</p> <p>believes [3] - 95:2, 95:7, 115:4</p> <p>belong [1] - 43:14</p> <p>benevolent [1] - 12:25</p> <p>best [1] - 4:6</p> <p>bet [1] - 114:21</p> <p>better [3] - 23:14, 42:9, 70:5</p> <p>between [5] - 3:4, 17:20, 28:4, 28:13, 97:22</p> <p>beyond [4] - 36:20, 57:13, 73:9, 117:22</p> <p>big [1] - 17:20</p> <p>bit [3] - 5:2, 90:21, 118:14</p>	C			
<p>calm [1] - 111:3</p> <p>camper [1] - 74:23</p> <p>capable [2] - 55:14, 56:22</p> <p>car [7] - 15:9, 15:10, 26:16, 27:6, 27:11, 28:8, 74:20</p> <p>card [5] - 128:3, 128:12, 129:25, 130:12, 137:4</p> <p>care [2] - 48:11, 138:6</p> <p>CARLOS [1] - 1:5</p> <p>Carlos [4] - 10:4, 10:5, 15:2, 70:20</p> <p>case [1] - 91:2</p> <p>Case [1] - 1:9</p> <p>cash [15] - 33:4, 33:14, 33:17, 34:9, 34:17, 62:16, 62:19, 67:22, 68:5, 68:8, 68:11, 68:16, 78:24, 79:2, 79:4</p>				

<p>D</p> <p>damaged [2] - 74:23, 74:24</p> <p>date [7] - 64:9, 64:12, 124:2, 124:14, 131:15, 134:11, 134:13</p> <p>dated [6] - 123:23, 131:12, 134:8, 142:11, 142:14, 142:16</p> <p>dating [4] - 84:21, 87:21, 91:16, 108:17</p> <p>day's [1] - 54:22</p> <p>days [1] - 20:4</p> <p>deal [1] - 24:2</p> <p>December [3] - 64:3, 64:4, 133:23</p> <p>decide [1] - 129:14</p> <p>Defendants [3] - 1:13, 1:20, 2:18</p> <p>DEFENDANTS' [1] - 142:7</p> <p>Defendants' [9] - 64:8, 64:11, 123:24, 124:4, 124:13, 131:13, 131:17, 134:9, 134:13</p> <p>deli [4] - 73:23, 74:2, 74:5, 74:11</p> <p>Delmira [25] - 80:24, 82:14, 84:7, 84:22, 85:4, 85:14, 85:18, 86:20, 86:23, 87:2, 87:13, 88:13, 91:7, 95:9, 95:11, 101:25, 102:7, 102:21, 102:24, 105:6, 105:9, 110:16, 110:19, 114:19, 114:23</p> <p>Delmira's [1] - 110:11</p> <p>denying [2] - 103:4, 103:7</p> <p>Department [1] - 62:3</p> <p>depose [1] - 139:19</p> <p>deposed [1] - 116:16</p> <p>deposition [9] - 3:13, 5:16, 5:18, 8:12, 30:19, 31:19, 70:6, 139:22, 141:10</p> <p>DESCRIPTION [1] - 142:7</p> <p>designation [6] - 35:12, 35:14, 35:18, 39:21, 39:25, 40:3</p> <p>determine [1] -</p>	<p>129:10</p> <p>difference [1] - 17:20</p> <p>different [5] - 32:9, 77:17, 90:25, 91:2, 125:20</p> <p>difficult [2] - 10:21, 36:13</p> <p>digits [4] - 124:24, 126:3, 126:6, 126:14</p> <p>direct [3] - 21:13, 21:17, 128:20</p> <p>directed [1] - 36:11</p> <p>directing [3] - 25:16, 42:5, 130:11</p> <p>directly [3] - 24:10, 99:17, 100:21</p> <p>directs [1] - 20:18</p> <p>disagreeing [2] - 24:25, 25:6</p> <p>discounted [1] - 98:18</p> <p>discovery [1] - 139:16</p> <p>disgusted [1] - 138:9</p> <p>disgusting [1] - 134:5</p> <p>DISTRICT [2] - 1:2, 1:2</p> <p>doctor [1] - 17:10</p> <p>document [12] - 64:6, 64:10, 64:14, 64:16, 123:21, 124:4, 124:12, 129:9, 129:12, 131:10, 134:6, 134:12</p> <p>Document [4] - 142:8, 142:10, 142:12, 142:15</p> <p>documents [3] - 11:13, 129:5, 139:16</p> <p>DOES [1] - 1:12</p> <p>down [11] - 61:4, 69:9, 69:18, 69:23, 70:10, 70:20, 93:17, 98:10, 128:17, 129:17, 135:13</p> <p>drive [4] - 26:7, 74:15, 99:12, 99:17</p> <p>Drive [2] - 125:16, 125:17</p> <p>driven [1] - 74:17</p> <p>driver's [2] - 64:7, 142:9</p> <p>drove [9] - 11:17, 11:21, 15:3, 15:6, 15:10, 26:9, 28:3, 28:7, 74:15</p> <p>drugs [1] - 6:24</p> <p>dues [1] - 98:14</p> <p>duly [3] - 4:3, 4:9,</p>	<p>143:7</p> <p>during [1] - 13:11</p> <p>E</p> <p>earned [1] - 133:5</p> <p>easier [1] - 78:5</p> <p>East [1] - 2:9</p> <p>EASTERN [1] - 1:2</p> <p>eat [14] - 71:20, 72:6, 72:13, 73:22, 115:11, 115:13, 115:17, 115:20, 115:22, 115:25, 116:3, 116:8, 116:9</p> <p>eating [1] - 115:19</p> <p>education [1] - 70:4</p> <p>Edwin [1] - 99:16</p> <p>EDWIN [1] - 1:5</p> <p>effect [1] - 3:16</p> <p>egg [3] - 72:10, 73:14, 73:18</p> <p>eggs [1] - 72:2</p> <p>either [6] - 28:8, 77:9, 88:24, 92:12, 93:17, 143:13</p> <p>El [11] - 17:14, 17:16, 26:10, 27:16, 28:3, 28:7, 28:10, 58:8, 58:10, 79:21, 133:24</p> <p>Elliot [4] - 4:18, 63:23, 63:25, 80:18</p> <p>embarrassed [1] - 138:7</p> <p>embarrassment [2] - 138:10, 138:19</p> <p>employer [1] - 60:14</p> <p>encourage [2] - 22:12, 40:2</p> <p>encouraged [1] - 22:17</p> <p>end [1] - 12:15</p> <p>ended [1] - 127:15</p> <p>English [6] - 4:4, 4:6, 4:25, 5:3, 23:4, 49:24</p> <p>entered [1] - 13:10</p> <p>entity [1] - 67:18</p> <p>ERRATA [1] - 144:2</p> <p>Escalante [1] - 10:7</p> <p>ESCALANTE [1] - 1:5</p> <p>especially [2] - 24:14, 128:23</p> <p>ESQ [2] - 2:11, 2:20</p> <p>establish [1] - 123:11</p> <p>established [1] - 36:19</p> <p>exactly [1] - 101:13</p>	<p>EXAMINATION [3] - 1:18, 4:12, 142:3</p> <p>examined [1] - 4:10</p> <p>except [2] - 3:9, 117:19</p> <p>exchange [1] - 79:11</p> <p>excuse [3] - 6:14, 16:9, 97:13</p> <p>excuses [2] - 5:7, 5:11</p> <p>Exhibit [9] - 64:8, 64:11, 123:25, 124:5, 124:13, 131:14, 131:17, 134:10, 134:14</p> <p>EXHIBITS [1] - 142:6</p> <p>exists [2] - 29:5, 29:6</p> <p>expensive [2] - 132:7</p> <p>explain [1] - 9:22</p> <p>extra [1] - 62:6</p> <p>eye [1] - 118:17</p> <p>F</p> <p>face [3] - 54:3, 54:19, 114:5</p> <p>fact [1] - 116:15</p> <p>factory [4] - 29:2, 29:4, 29:9, 29:16</p> <p>facts [1] - 76:7</p> <p>fair [4] - 14:15, 14:22, 19:6, 71:6</p> <p>FAJARDO [1] - 1:4</p> <p>false [1] - 43:21</p> <p>familiar [2] - 59:18, 59:24</p> <p>family [4] - 45:16, 48:15, 82:12, 91:2</p> <p>fancy [1] - 115:6</p> <p>far [1] - 70:6</p> <p>Fasco [14] - 34:16, 34:18, 37:2, 37:4, 37:9, 37:11, 37:14, 37:19, 38:3, 38:12, 38:20, 62:11, 62:12, 62:19</p> <p>fast [5] - 115:17, 115:19, 116:10, 116:13</p> <p>father [2] - 93:14, 93:15</p> <p>fell [6] - 14:10, 17:11, 52:2, 57:23, 101:14, 123:7</p> <p>few [4] - 23:8, 75:2, 84:16, 119:21</p> <p>fibbing [1] - 103:17</p> <p>field [1] - 16:19</p>	<p>fifteen [3] - 21:15, 46:21, 46:25</p> <p>Fifth [3] - 2:5, 2:14, 42:24</p> <p>fifty [1] - 122:2</p> <p>file [7] - 34:21, 35:5, 38:4, 38:11, 38:21, 39:4, 39:6</p> <p>filed [6] - 38:24, 61:7, 62:2, 120:20, 122:8, 123:12</p> <p>filing [1] - 3:5</p> <p>fill [3] - 69:16, 69:21, 70:2</p> <p>fine [10] - 12:21, 13:17, 13:19, 20:9, 48:4, 55:20, 61:6, 95:16, 110:22, 118:11</p> <p>finish [1] - 116:7</p> <p>first [5] - 12:8, 25:8, 25:9, 26:5, 90:8</p> <p>five [8] - 21:3, 22:6, 41:21, 83:16, 111:12, 115:19, 116:10, 139:8</p> <p>flat [1] - 28:9</p> <p>flattering [1] - 106:12</p> <p>following [3] - 63:2, 144:3, 144:4</p> <p>follows [1] - 4:11</p> <p>food [3] - 45:16, 73:10, 73:12</p> <p>fooling [2] - 107:24, 123:4</p> <p>foot [1] - 25:10</p> <p>force [1] - 3:15</p> <p>foreman [2] - 104:3, 104:11</p> <p>forget [1] - 52:14</p> <p>forgets [1] - 54:16</p> <p>form [1] - 3:9</p> <p>forth [1] - 143:7</p> <p>forty [6] - 21:3, 22:6, 41:21, 119:18, 122:5</p> <p>forty-five [2] - 21:3, 41:21</p> <p>forty-three [1] - 122:5</p> <p>forty-two [1] - 122:5</p> <p>forward [1] - 49:11</p> <p>four [14] - 111:11, 111:12, 120:8, 124:24, 125:19, 126:3, 126:6, 126:8, 126:10, 126:14, 131:7, 136:2, 136:3, 136:21</p> <p>friend [1] - 105:11</p> <p>friends [5] - 75:7, 76:5, 77:5, 80:19,</p>
---	--	--	---	--

80:20 front [1] - 32:10 frustrating [2] - 49:5, 49:9 full [4] - 4:14, 21:6, 108:22, 127:10 fun [4] - 49:21, 94:16, 104:17, 104:22 FURTHER [2] - 3:8, 3:12	Guatemala [1] - 28:14 guy [1] - 137:9	hope [1] - 54:4 hoping [2] - 54:17, 123:16 hospitalized [1] - 14:11 hotshot [1] - 134:5 hour [6] - 111:10, 111:15, 111:17, 111:22, 112:4, 140:5 hours [27] - 50:24, 51:12, 61:20, 61:24, 68:22, 69:9, 69:17, 69:19, 69:23, 70:10, 112:4, 119:18, 119:24, 120:3, 120:8, 120:15, 120:18, 120:23, 121:8, 121:23, 121:25, 122:3, 131:7, 132:12, 133:6, 136:2, 136:4 house [8] - 78:7, 78:9, 78:10, 78:12, 78:15, 81:4, 81:18, 82:2 huge [1] - 128:25 hurt [1] - 94:8	11:10 instruct [2] - 12:11, 23:24 instructed [2] - 49:14, 49:16 instructing [2] - 49:2, 49:6 intention [1] - 88:3 interested [1] - 143:15 interpret [1] - 4:4 interpreted [1] - 49:23 interpreter [3] - 5:5, 9:17, 140:4 Interpreter [6] - 2:24, 4:3, 4:10, 9:21, 12:10, 22:16 involved [2] - 62:12, 82:19 IS [3] - 3:3, 3:8, 3:12 issue [1] - 128:25 issued [1] - 43:18 issues [6] - 40:25, 41:8, 42:18, 44:8, 47:8, 48:10 IT [3] - 3:3, 3:8, 3:12	K Karen [1] - 1:23 KAREN [2] - 143:3, 143:21 keep [3] - 68:21, 93:19, 123:4 Kenya [3] - 81:2, 82:14, 84:5 KEVIN [1] - 1:5 Kevin [3] - 10:14, 10:15, 15:2 kidding [3] - 84:24, 113:11, 113:12 kind [2] - 29:9, 72:19 kinds [1] - 24:2 known [1] - 118:22 knows [2] - 86:23, 95:9
G	H hair [2] - 53:20, 114:16 half [13] - 21:23, 34:19, 52:24, 53:4, 53:6, 53:13, 62:19, 63:2, 111:25, 112:3 hall [1] - 129:14 hand [4] - 26:25, 69:22, 70:9, 143:18 handing [3] - 124:5, 131:17, 134:14 happy [2] - 103:14, 111:3 hard [1] - 105:15 head [3] - 14:4, 123:8, 135:12 hear [2] - 96:7, 96:22 heard [4] - 23:11, 96:9, 96:10, 96:23 heart [2] - 87:25, 105:16 heavily [1] - 105:16 height [1] - 65:21 held [1] - 1:22 HELENE [1] - 1:12 hello [2] - 11:21, 129:21 help [3] - 8:4, 101:20, 134:16 HEREBY [1] - 3:3 hereby [3] - 3:7, 141:8, 143:4 herein [4] - 1:19, 3:5, 4:3, 4:9 hereinbefore [1] - 143:7 hereunto [1] - 143:17 hide [1] - 11:9 high [4] - 59:10, 59:11, 59:12, 70:4 Highway [2] - 1:16, 2:18 hispanic [1] - 71:24 hit [1] - 123:8 Hold [1] - 139:4 home [9] - 59:17, 72:4, 72:6, 72:23, 72:24, 99:18, 122:15, 128:6, 129:24 honest [1] - 71:6 honestly [1] - 6:9 hoo [1] - 44:20	I IAN [1] - 2:13 lan [1] - 140:4 identification [4] - 64:9, 123:25, 131:14, 134:10 identified [1] - 64:11 immigration [14] - 24:7, 24:10, 24:17, 40:18, 40:25, 41:8, 42:2, 42:17, 44:7, 44:11, 45:22, 46:3, 47:8, 48:10 impaired [1] - 7:4 IN [1] - 143:17 incapable [2] - 48:12, 57:6 income [10] - 34:21, 35:5, 35:8, 38:4, 38:11, 38:19, 38:21, 39:4, 39:6, 61:7 inconsistently [1] - 128:24 INDEX [1] - 142:2 indicated [1] - 129:3 indicating [6] - 19:2, 45:14, 50:10, 69:17, 126:7, 129:5 indicating [1] - 18:24 information [1] -	J Javier [2] - 10:10, 15:2 JAVIER [1] - 1:5 Javier's [1] - 114:12 jaw [1] - 61:4 job [14] - 53:8, 71:13, 71:18, 74:18, 74:21, 98:10, 99:18, 100:5, 100:11, 100:18, 100:20, 119:6, 119:13, 119:15 JOHN [1] - 1:12 joke [3] - 94:20, 107:21, 107:25 jokes [1] - 107:22 Jose [1] - 118:21 JOSE [2] - 1:4, 1:6 juan [4] - 4:16, 13:6, 118:21, 141:17 Juan [5] - 118:19, 124:20, 134:16, 134:18, 142:4 JUAN [3] - 1:6, 1:18, 141:8 Judge [1] - 32:10 juice [1] - 74:6 July [3] - 37:18, 37:21, 37:22	L Labor [1] - 62:3 ladies [1] - 132:6 lady [2] - 102:21, 106:16 LaMendola [3] - 1:24, 143:3, 143:21 language [1] - 60:22 last [20] - 10:6, 27:15, 64:2, 71:3, 83:10, 95:24, 104:7, 109:3, 109:9, 110:3, 110:11, 117:14, 124:24, 125:18, 126:3, 126:6, 126:8, 126:10, 126:14, 139:8 late [1] - 108:2 laughed [1] - 23:11 laughing [2] - 54:25, 88:11 laundry [2] - 52:14, 117:20 Lauren [1] - 140:3 LAUREN [1] - 2:4 law [2] - 79:21, 79:25 Law [1] - 1:21 LAW [3] - 2:4, 2:8, 2:13 Laws [1] - 32:2 lawsuit [13] - 120:16, 120:17, 120:19, 122:7, 122:8, 123:12, 131:8, 132:18, 132:22, 133:2, 133:12, 133:14, 133:19 lawyer [6] - 15:16,

<p>18:11, 20:18, 42:22, 80:7, 109:15</p> <p>laying [1] - 93:17</p> <p>leads [1] - 24:10</p> <p>least [1] - 70:7</p> <p>leave [6] - 22:18, 96:9, 96:10, 96:11, 96:24, 130:9</p> <p>legally [2] - 24:23, 25:4</p> <p>LERLY [1] - 1:6</p> <p>letting [1] - 116:7</p> <p>liar [2] - 127:23, 133:16</p> <p>license [4] - 26:9, 64:7, 64:18, 142:9</p> <p>lie [48] - 31:18, 32:10, 32:15, 32:19, 32:24, 76:21, 86:2, 86:7, 86:8, 86:11, 86:13, 86:15, 86:18, 88:6, 88:8, 88:9, 88:11, 88:12, 88:13, 88:25, 89:25, 90:5, 90:11, 90:23, 91:5, 91:7, 91:21, 92:9, 92:16, 94:16, 94:18, 94:19, 95:15, 105:6, 105:22, 105:23, 105:25, 106:15, 106:16, 106:17, 108:2, 108:4, 108:11, 109:17, 119:6, 119:12, 119:14</p> <p>lied [14] - 41:3, 76:14, 77:3, 89:17, 89:19, 90:12, 90:14, 90:17, 91:16, 93:18, 93:22, 94:5, 106:4, 106:19</p> <p>lies [13] - 86:6, 88:17, 94:6, 94:7, 94:13, 106:20, 106:22, 107:3, 107:6, 107:14, 107:17, 107:23, 136:14</p> <p>life [2] - 82:11, 138:20</p> <p>likely [1] - 61:14</p> <p>LINE [1] - 144:5</p> <p>listed [1] - 121:22</p> <p>listen [4] - 22:13, 70:3, 76:4, 136:5</p> <p>live [19] - 27:19, 63:19, 78:7, 80:17, 81:2, 81:3, 81:4, 81:5, 81:6, 81:14, 81:16, 81:18, 81:25, 82:13, 82:23, 90:8, 90:15, 125:14</p>	<p>lived [2] - 27:18, 63:24</p> <p>living [2] - 45:15, 90:13</p> <p>local [1] - 97:7</p> <p>look [22] - 32:19, 42:19, 47:20, 47:21, 48:11, 54:3, 56:18, 64:13, 64:21, 78:2, 92:14, 102:15, 102:17, 106:14, 110:24, 116:12, 123:2, 124:18, 132:9, 137:25</p> <p>looked [2] - 106:8, 121:19</p> <p>looking [1] - 118:9</p> <p>looks [3] - 12:13, 65:2, 106:10</p> <p>lose [2] - 54:21, 65:4</p> <p>lost [2] - 38:15, 61:13</p> <p>Louie [8] - 23:4, 23:14, 96:7, 96:11, 96:20, 96:25, 98:16, 99:3</p> <p>Louis [1] - 13:9</p> <p>louis [1] - 2:24</p> <p>LOUIS [1] - 1:11</p> <p>love [6] - 87:11, 87:16, 87:24, 89:8, 89:11, 91:20</p> <p>lower [3] - 44:17, 46:6, 132:20</p> <p>luck [1] - 138:19</p> <p>Lunati [9] - 29:21, 33:2, 34:20, 61:18, 61:19, 61:22, 61:23, 104:9, 137:8</p> <p>lunch [8] - 115:11, 115:13, 115:22, 115:25, 116:3, 116:8, 116:9</p> <p>lunchbox [1] - 115:18</p> <p>lying [36] - 31:11, 31:16, 32:18, 32:22, 60:23, 60:25, 62:20, 77:5, 77:8, 77:9, 77:10, 77:14, 77:15, 77:17, 78:3, 89:23, 91:3, 91:10, 91:12, 100:14, 103:19, 103:23, 104:25, 107:4, 107:11, 109:18, 120:9, 121:13, 127:20, 127:22, 127:25, 129:10, 129:11, 136:11</p>	<p>M</p> <p>machines [1] - 115:16</p> <p>Madame [3] - 9:21, 12:10, 22:15</p> <p>man [6] - 45:13, 45:15, 48:14, 50:9, 50:12, 78:20</p> <p>MARCUS [1] - 1:6</p> <p>margarita [1] - 2:24</p> <p>mark [1] - 22:6</p> <p>marked [9] - 35:9, 39:16, 64:8, 123:24, 124:4, 124:12, 131:13, 134:9, 134:13</p> <p>marriage [1] - 143:13</p> <p>married [2] - 83:5, 90:9</p> <p>marrying [1] - 88:4</p> <p>MARTINEZ [1] - 1:4</p> <p>match [1] - 117:20</p> <p>matter [5] - 88:10, 102:14, 110:25, 139:24, 143:16</p> <p>Maynor [1] - 70:24</p> <p>MAYNOR [1] - 1:4</p> <p>McNAMARA [282] - 2:8, 2:11, 7:17, 8:25, 9:6, 9:19, 11:6, 11:11, 11:15, 11:19, 12:19, 12:21, 12:23, 13:2, 13:14, 14:17, 15:4, 15:13, 15:17, 15:22, 18:2, 18:15, 19:8, 19:18, 20:14, 21:9, 21:18, 21:25, 23:16, 23:23, 24:5, 24:8, 24:16, 24:24, 25:5, 25:11, 25:15, 25:19, 25:24, 26:8, 26:12, 26:15, 26:20, 27:5, 27:9, 27:17, 28:5, 28:11, 28:18, 30:7, 30:11, 30:20, 30:24, 31:8, 31:12, 31:20, 32:14, 33:8, 33:18, 33:22, 34:3, 34:13, 34:23, 35:6, 35:21, 36:4, 36:9, 36:21, 38:5, 38:13, 38:18, 38:22, 39:7, 39:11, 39:13, 40:4, 40:11, 40:15, 40:21, 40:23, 41:4, 41:12, 41:20, 41:22, 42:12, 43:7, 43:15, 43:25, 44:13, 44:16, 44:21, 44:24, 45:9, 45:12, 45:19,</p>	<p>46:5, 46:16, 46:23, 47:3, 47:6, 47:16, 47:22, 48:6, 48:16, 48:20, 48:25, 49:6, 49:10, 49:13, 49:20, 50:4, 50:21, 50:25, 51:4, 51:21, 52:3, 52:12, 52:22, 52:25, 53:7, 53:14, 53:21, 54:5, 54:8, 54:12, 54:20, 55:8, 56:19, 57:15, 58:7, 60:15, 60:24, 61:5, 61:11, 62:4, 62:8, 62:22, 63:6, 63:11, 63:15, 64:24, 65:3, 65:6, 65:10, 65:17, 65:22, 67:24, 68:17, 72:11, 75:8, 75:16, 75:24, 76:12, 76:15, 76:24, 77:4, 77:7, 77:11, 77:19, 77:23, 78:6, 78:16, 79:5, 79:23, 80:3, 83:3, 84:8, 84:13, 84:23, 85:2, 85:6, 85:11, 85:16, 85:19, 85:21, 86:3, 86:9, 86:17, 86:21, 86:24, 87:5, 87:9, 87:14, 88:5, 88:7, 88:14, 88:23, 89:7, 89:12, 89:21, 90:19, 91:4, 91:9, 94:10, 94:14, 94:17, 95:4, 95:12, 98:3, 98:25, 100:16, 101:4, 101:11, 101:16, 102:5, 102:8, 102:11, 102:19, 103:2, 103:5, 103:11, 103:15, 103:18, 103:22, 104:15, 105:4, 105:12, 105:24, 106:24, 107:7, 107:10, 108:8, 108:12, 109:7, 109:11, 109:23, 110:17, 110:21, 112:22, 113:7, 114:9, 114:13, 114:20, 114:25, 115:9, 115:24, 116:14, 116:18, 117:6, 117:17, 117:23, 119:4, 119:10, 120:11, 121:4, 121:17, 121:24, 123:9, 124:8, 125:2, 125:22, 126:16, 126:22, 127:4, 127:21, 127:24,</p>	<p>128:10, 128:16, 128:19, 129:13, 130:2, 130:7, 130:9, 130:14, 130:23, 131:4, 131:24, 132:19, 133:11, 133:17, 133:20, 133:25, 135:15, 137:15, 138:11, 138:21, 139:4, 139:7, 139:20, 140:2, 140:7, 140:11</p> <p>mean [1] - 89:5</p> <p>means [1] - 121:2</p> <p>medications [2] - 6:19, 6:22</p> <p>medium [1] - 13:23</p> <p>meet [2] - 8:14, 8:17</p> <p>meeting [2] - 8:24, 15:12</p> <p>membership [1] - 98:17</p> <p>memory [16] - 13:23, 14:16, 14:23, 17:11, 27:13, 33:7, 33:21, 34:2, 34:12, 49:17, 57:9, 57:20, 57:22, 123:16, 123:17, 124:7</p> <p>MENDEZ [1] - 1:5</p> <p>mentioned [1] - 1:23</p> <p>met [5] - 11:14, 14:25, 19:15, 19:17, 76:10</p> <p>method [1] - 35:16</p> <p>Mexico [1] - 28:14</p> <p>might [3] - 19:13, 31:5, 103:13</p> <p>mind [1] - 113:17</p> <p>mine [2] - 39:8, 105:10</p> <p>minute [11] - 21:6, 21:15, 22:6, 36:3, 36:6, 41:23, 52:21, 52:24, 53:4, 53:6, 119:8</p> <p>minute-and-a-half [3] - 52:24, 53:4, 53:6</p> <p>minutes [10] - 21:23, 45:4, 49:19, 53:13, 73:21, 75:2, 84:16, 115:19, 116:10, 139:8</p> <p>miss [1] - 23:10</p> <p>missing [1] - 12:16</p> <p>mistress [1] - 87:2</p> <p>mockery [1] - 50:2</p> <p>money [3] - 62:6, 79:12, 98:19</p> <p>month [2] - 58:11, 78:22</p> <p>morning [7] - 4:20,</p>
--	---	--	--	--

<p>73:15, 75:2, 99:6, 99:10, 99:18, 100:10 most [2] - 12:12, 92:7 mother [12] - 16:25, 83:23, 91:6, 92:16, 92:19, 93:2, 93:4, 93:11, 93:16, 107:8, 107:17, 107:18 move [4] - 26:14, 49:11, 54:18, 77:12 moved [2] - 54:4, 64:2 MR [344] - 4:13, 7:9, 7:17, 8:25, 9:6, 9:15, 9:19, 11:6, 11:11, 11:15, 11:19, 12:6, 12:19, 12:20, 12:21, 12:22, 12:23, 12:25, 13:2, 13:3, 13:14, 14:17, 15:4, 15:13, 15:17, 15:22, 18:2, 18:15, 19:3, 19:8, 19:18, 20:14, 20:23, 21:9, 21:12, 21:18, 21:22, 21:25, 22:4, 23:16, 23:23, 24:4, 24:5, 24:6, 24:8, 24:12, 24:16, 24:19, 24:24, 25:3, 25:5, 25:11, 25:15, 25:19, 25:24, 26:8, 26:12, 26:13, 26:15, 26:20, 27:5, 27:9, 27:17, 28:5, 28:11, 28:18, 30:7, 30:11, 30:20, 30:24, 31:8, 31:12, 31:20, 32:14, 33:8, 33:18, 33:22, 34:3, 34:13, 34:23, 35:6, 35:11, 35:21, 35:25, 36:4, 36:5, 36:9, 36:21, 38:5, 38:13, 38:18, 38:22, 39:7, 39:11, 39:13, 39:19, 40:4, 40:11, 40:15, 40:21, 40:23, 41:4, 41:12, 41:16, 41:20, 41:21, 41:22, 41:23, 42:12, 43:5, 43:7, 43:15, 43:25, 44:13, 44:16, 44:21, 44:24, 45:2, 45:9, 45:12, 45:19, 46:5, 46:16, 46:20, 46:23, 46:24, 47:3, 47:5, 47:6, 47:16, 47:22, 48:6, 48:16, 48:20, 48:23, 48:25, 49:4, 49:6, 49:8, 49:10, 49:12,</p>	<p>49:13, 49:15, 49:20, 50:4, 50:21, 50:25, 51:4, 51:21, 52:3, 52:12, 52:19, 52:22, 52:23, 52:25, 53:2, 53:7, 53:9, 53:14, 53:16, 53:21, 54:5, 54:8, 54:12, 54:14, 54:20, 54:21, 55:8, 55:23, 56:19, 57:15, 58:7, 60:15, 60:24, 61:5, 61:11, 62:4, 62:8, 62:22, 63:6, 63:11, 63:15, 64:24, 65:3, 65:6, 65:10, 65:17, 65:22, 67:24, 68:17, 72:11, 75:8, 75:16, 75:24, 76:12, 76:15, 76:24, 77:4, 77:7, 77:11, 77:13, 77:19, 77:23, 78:6, 78:16, 79:5, 80:3, 83:3, 84:8, 84:10, 84:13, 84:15, 84:23, 85:2, 85:6, 85:9, 85:11, 85:16, 85:19, 85:21, 85:24, 86:3, 86:9, 86:17, 86:21, 86:24, 87:5, 87:9, 87:14, 88:5, 88:7, 88:14, 88:23, 89:7, 89:12, 89:21, 90:19, 91:4, 91:9, 94:10, 94:14, 94:17, 95:4, 95:12, 98:3, 98:25, 100:16, 101:4, 101:11, 101:16, 102:5, 102:8, 102:11, 102:19, 103:2, 103:5, 103:11, 103:15, 103:18, 103:22, 104:15, 105:4, 105:12, 105:24, 106:24, 107:7, 107:10, 108:8, 108:12, 109:7, 109:11, 109:21, 109:23, 110:17, 110:21, 112:22, 113:7, 114:9, 114:13, 114:20, 114:25, 115:9, 115:24, 116:14, 116:18, 117:6, 117:17, 117:23, 118:6, 119:4, 119:10, 120:11, 121:4, 121:17, 121:24, 123:9, 124:8, 125:2, 125:22, 126:16, 126:22, 127:4, 127:21,</p>	<p>127:24, 128:10, 128:13, 128:16, 128:18, 128:19, 128:22, 129:13, 129:16, 129:20, 130:2, 130:4, 130:7, 130:9, 130:14, 130:23, 131:4, 131:24, 132:19, 133:11, 133:17, 133:20, 133:25, 135:15, 137:15, 138:11, 138:12, 138:17, 138:21, 138:23, 139:4, 139:5, 139:7, 139:9, 139:20, 139:23, 140:2, 140:3, 140:7, 140:9, 140:11 must [2] - 105:15, 135:25</p>	<p>NEW [2] - 1:2, 141:4 New [20] - 1:16, 1:25, 2:5, 2:10, 2:14, 2:19, 4:19, 25:13, 25:14, 26:4, 26:19, 28:4, 28:10, 28:17, 32:2, 124:21, 141:23, 143:4 next [1] - 42:4 nice [5] - 45:13, 48:14, 53:10, 102:21, 115:5 nine [2] - 133:5, 136:17 nobody [4] - 77:17, 94:8, 95:2, 115:4 NOE [1] - 1:6 none [2] - 118:25, 119:2 NOT [2] - 2:6, 2:15 Notary [3] - 1:25, 141:23, 143:3 note [1] - 21:14 noted [1] - 140:13 nothing [12] - 24:15, 28:4, 31:6, 41:25, 81:25, 82:15, 101:12, 105:10, 110:18, 114:23, 132:5, 135:7 Notice [1] - 1:22 November [6] - 120:21, 120:22, 121:7, 122:9, 133:2, 143:18 number [32] - 39:6, 39:10, 40:10, 43:13, 43:18, 43:21, 43:24, 44:3, 48:5, 59:19, 59:20, 59:24, 60:3, 60:14, 60:18, 61:8, 124:25, 125:11, 125:21, 127:7, 127:10, 127:11, 127:12, 127:18, 129:19, 136:24, 137:2, 137:3, 137:7, 137:9, 139:13, 139:15 Number [7] - 64:8, 123:25, 124:5, 124:13, 131:17, 134:10, 134:14 numbers [8] - 39:16, 43:11, 125:19, 126:8, 126:10, 135:19, 135:20</p>	<p>object [4] - 35:11, 35:12, 39:20, 130:5 objected [3] - 9:20, 40:16, 109:24 objecting [2] - 40:3, 139:21 objection [223] - 7:17, 8:25, 9:6, 11:11, 11:15, 11:19, 13:14, 14:17, 15:4, 15:13, 15:17, 15:22, 18:2, 18:15, 19:18, 20:14, 23:16, 23:23, 25:11, 25:15, 25:19, 26:8, 26:12, 26:20, 27:5, 27:9, 27:17, 28:5, 28:11, 28:18, 30:7, 30:11, 30:20, 30:24, 31:8, 31:12, 31:20, 32:14, 33:8, 33:18, 33:22, 34:3, 34:13, 34:23, 36:4, 36:21, 38:5, 38:13, 38:18, 38:22, 39:7, 39:11, 40:11, 40:21, 40:23, 41:4, 41:12, 41:20, 41:22, 42:12, 43:15, 43:25, 44:13, 44:21, 45:9, 45:12, 45:19, 46:5, 46:16, 46:23, 46:25, 47:6, 47:16, 48:6, 48:16, 48:20, 49:20, 50:4, 50:21, 50:25, 51:4, 51:21, 52:3, 52:12, 52:22, 52:25, 54:5, 54:8, 54:20, 55:8, 57:15, 58:7, 60:15, 60:24, 61:5, 61:11, 62:4, 62:8, 62:22, 63:6, 63:11, 63:15, 64:24, 65:3, 65:6, 65:10, 65:17, 65:22, 67:24, 68:17, 72:11, 75:8, 75:16, 76:12, 76:15, 76:24, 77:4, 77:7, 77:11, 77:19, 77:23, 78:6, 78:16, 79:5, 79:23, 80:3, 83:3, 84:8, 84:23, 85:2, 85:6, 85:11, 85:16, 85:19, 86:3, 86:9, 86:17, 86:21, 86:24, 87:5, 87:9, 87:14, 88:5, 88:7, 88:14, 88:23, 89:7, 89:12, 89:21, 90:19, 91:9, 94:10, 94:14, 94:17, 95:4, 98:3, 98:25, 100:16, 101:4, 101:11, 101:16,</p>
N				
<p>name [24] - 4:15, 10:6, 29:3, 29:7, 29:8, 41:11, 69:14, 70:18, 70:21, 71:3, 78:19, 81:22, 95:19, 104:6, 104:7, 108:23, 108:24, 109:3, 109:10, 110:3, 110:11, 118:9, 118:19, 125:12 names [5] - 11:2, 11:4, 80:22, 83:13, 118:23 necessary [6] - 9:24, 79:19, 80:6, 80:8, 109:12, 109:14 Neck [1] - 2:9 need [2] - 15:16, 128:11 needs [1] - 49:16 Nelson [10] - 30:13, 30:14, 95:18, 95:20, 96:11, 96:14, 96:17, 110:15, 110:20, 111:7 NELSON [1] - 1:3 Nelson's [2] - 110:13, 129:21 never [29] - 27:22, 43:20, 51:14, 60:17, 62:2, 62:6, 62:7, 71:8, 71:11, 71:16, 76:10, 86:5, 89:17, 89:19, 92:23, 93:11, 93:18, 99:21, 102:12, 115:2, 120:23, 121:10, 122:2, 125:23, 125:24, 125:25, 131:6</p>				
O				
<p>oath [3] - 3:15, 31:22, 141:10</p>				

102:5, 102:8, 102:11, 102:19, 103:2, 103:5, 103:11, 103:15, 103:18, 103:22, 104:15, 105:4, 105:12, 105:24, 106:24, 107:7, 107:10, 108:8, 108:12, 109:7, 109:11, 110:17, 110:21, 112:22, 113:7, 114:9, 114:13, 114:20, 114:25, 115:9, 115:24, 116:14, 116:18, 117:6, 117:17, 117:23, 119:4, 119:10, 120:11, 121:4, 121:17, 121:24, 123:9, 124:8, 125:2, 125:22, 126:16, 126:22, 127:4, 127:21, 127:24, 130:2, 130:23, 131:4, 131:24, 133:11, 133:17, 133:20, 133:25, 135:15, 137:15, 138:11 Objection [4] - 11:6, 56:19, 75:24, 91:4 objections [1] - 3:9 October [2] - 1:14, 141:11 OF [6] - 1:2, 2:4, 2:8, 2:13, 141:4, 141:6 office [7] - 43:10, 44:2, 69:3, 69:7, 69:10, 98:13, 138:9 officer [1] - 3:14 OFFICES [3] - 2:4, 2:8, 2:13 old [5] - 14:7, 58:12, 58:25, 83:15, 83:17 older [2] - 93:15, 93:16 once [6] - 24:17, 67:25, 68:16, 71:13, 87:4, 87:6 one [34] - 1:19, 21:6, 21:15, 21:23, 22:6, 36:2, 36:6, 41:23, 59:4, 60:8, 65:13, 66:22, 68:23, 69:21, 70:2, 70:13, 70:15, 77:15, 87:11, 87:18, 89:3, 89:10, 89:15, 91:18, 94:25, 99:23, 100:7, 112:4, 112:9, 115:4, 115:17,	123:15, 126:12, 131:6 one-and-a-half [1] - 21:23 one-minute-and-forty-five-second [1] - 22:6 ones [1] - 39:2 order [8] - 1:22, 24:3, 35:19, 35:20, 119:12, 119:14, 128:21, 130:15 oreo [1] - 72:21 organized [1] - 15:12 origin [1] - 17:13 OSMAR [1] - 1:5 Osmar [3] - 10:18, 10:19, 15:3 Osmond [2] - 104:2, 104:5 otherwise [2] - 19:9, 100:19 outcome [1] - 143:16 outside [2] - 12:9, 22:12 over-the-counter [1] - 6:22 overtime [24] - 50:22, 51:14, 51:19, 51:20, 56:4, 56:8, 56:11, 56:13, 56:25, 57:3, 57:14, 111:24, 119:17, 119:22, 120:9, 120:15, 120:24, 121:8, 131:7, 133:6, 137:18, 137:21, 137:23, 138:4 own [5] - 15:9, 15:10, 43:22, 74:20, 78:10	pants [1] - 106:12 paper [3] - 68:24, 68:25, 69:6 papers [4] - 29:22, 29:24, 30:6, 31:3 parents [1] - 93:19 part [4] - 38:2, 38:16, 63:2, 128:20 parties [2] - 3:5, 143:14 pass [1] - 73:19 passed [2] - 36:7, 41:18 Patrick [14] - 9:15, 12:9, 19:5, 19:6, 24:19, 43:5, 77:21, 95:7, 95:8, 95:9, 95:10, 109:21, 138:13 PATRICK [1] - 2:8 pATRICK [1] - 2:11 PAVING [1] - 1:11 Paving [12] - 37:25, 65:25, 66:7, 66:22, 67:3, 67:22, 68:8, 95:25, 99:7, 111:9, 115:14, 115:23 pay [35] - 33:4, 35:2, 50:22, 51:9, 51:11, 51:22, 56:16, 61:20, 61:24, 62:9, 78:22, 79:8, 88:12, 98:14, 98:16, 112:3, 112:4, 112:6, 112:9, 119:25, 120:2, 120:17, 121:20, 121:22, 123:22, 124:18, 131:11, 132:10, 134:7, 134:24, 140:4, 142:11, 142:13, 142:16 paying [1] - 56:17 payments [3] - 68:5, 68:8, 68:11 pays [1] - 120:18 penalty [1] - 32:6 people [5] - 69:19, 70:5, 93:21, 100:4, 116:15 PEREZ [1] - 1:7 perhaps [1] - 28:9 perjury [1] - 32:13 permitted [1] - 99:20 permitting [1] - 25:2 person [8] - 69:8, 69:11, 69:12, 70:14, 70:16, 94:4, 95:23, 99:22 person's [2] - 69:14, 70:18 perusing [2] - 124:9,	131:19 phonetic [1] - 110:4 physical [1] - 65:14 pick [5] - 74:21, 74:24, 75:4, 76:20, 100:2 picture [3] - 64:19, 65:5, 65:16 place [1] - 1:23 places [4] - 56:7, 56:11, 57:8, 57:14 Plaintiffs [5] - 1:8, 1:19, 2:4, 2:9, 2:13 plane [3] - 18:14, 20:13, 22:2 planing [1] - 66:18 planning [2] - 54:6, 79:15 play [3] - 53:10, 71:17, 94:20 playbook [1] - 53:11 played [2] - 71:11, 71:16 playing [13] - 7:13, 7:14, 27:2, 42:6, 42:8, 45:5, 53:17, 63:5, 63:14, 63:16, 63:18, 71:9, 113:10 plead [1] - 42:24 pleasure [1] - 95:13 PLLC [1] - 2:4 plus [1] - 139:12 pocket [2] - 130:10, 130:18 point [3] - 18:23, 18:25, 19:9 pointed [1] - 19:5 poor [1] - 106:16 portion [1] - 56:2 position [1] - 46:8 possible [3] - 92:7, 101:8, 101:24 PRACELIS [1] - 1:4 Practice [1] - 1:21 prefer [1] - 22:23 prepare [1] - 8:11 prescription [1] - 6:18 PRESENT [3] - 2:6, 2:15, 2:23 present [2] - 9:3, 9:5 pretty [2] - 27:13, 106:10 previously [2] - 128:21, 139:14 private [3] - 82:7, 82:8, 82:11 problem [4] - 11:23, 12:15, 71:8, 129:4 procedure [1] -	35:17 proceeding [1] - 49:11 process [1] - 45:11 produce [1] - 130:12 Professional [1] - 1:24 propane [1] - 74:22 protect [2] - 19:12, 42:23 protective [2] - 24:3, 130:15 provide [7] - 5:22, 11:4, 21:19, 22:15, 40:6, 137:4, 139:12 provided [3] - 124:25, 137:8, 137:10 provides [3] - 39:23, 45:16, 48:14 Public [3] - 1:25, 141:23, 143:3 punished [1] - 92:18 pursuant [4] - 1:20, 35:9, 39:17, 130:14 put [5] - 26:24, 45:14, 115:18, 130:20, 131:3
Q				
questions [30] - 4:4, 5:6, 5:8, 5:19, 5:23, 9:20, 13:13, 20:5, 20:11, 22:11, 23:15, 23:19, 24:2, 30:22, 35:7, 39:14, 41:6, 42:10, 42:22, 45:8, 45:18, 48:13, 48:24, 49:3, 49:7, 53:8, 55:4, 55:7, 56:20, 85:22 Quintanilla [3] - 10:11, 30:14, 110:12 QUINTANILLA [2] - 1:3, 1:5 Quinteros [19] - 4:16, 4:20, 19:4, 20:3, 21:18, 25:24, 36:9, 42:19, 43:7, 47:22, 109:23, 118:20, 118:21, 124:20, 128:16, 129:24, 134:16, 134:18, 142:4 QUINTEROS [4] - 1:6, 1:19, 141:8, 141:17 Quinteros's [8] - 64:7, 123:22, 131:11, 134:7, 142:8, 142:10, 142:13, 142:15				

<p>R</p> <p>Ralph [7] - 29:21, 33:2, 61:18, 61:19, 61:22, 61:23, 137:8</p> <p>Ralphie [4] - 29:19, 32:25, 33:12, 34:7</p> <p>rare [2] - 51:16, 51:17</p> <p>rarely [1] - 121:9</p> <p>rate [1] - 111:25</p> <p>read [10] - 40:2, 55:23, 56:2, 97:11, 97:14, 125:5, 125:7, 132:2, 135:18, 141:9</p> <p>ready [1] - 22:21</p> <p>really [6] - 7:16, 36:17, 74:14, 96:6, 96:8, 111:19</p> <p>REASON [10] - 144:7, 144:9, 144:11, 144:13, 144:15, 144:17, 144:19, 144:21, 144:23, 144:25</p> <p>reason [6] - 7:2, 7:6, 7:20, 8:8, 61:2, 118:15</p> <p>reasonable [2] - 12:22, 12:24</p> <p>reasons [1] - 144:4</p> <p>recalling [1] - 57:7</p> <p>receive [7] - 66:25, 67:7, 67:17, 67:21, 68:4, 68:7, 68:10</p> <p>received [1] - 68:16</p> <p>recess [5] - 13:4, 22:19, 84:17, 118:7, 129:22</p> <p>record [23] - 4:15, 12:8, 19:3, 20:23, 21:2, 21:5, 21:14, 21:17, 21:22, 22:4, 35:13, 35:25, 36:5, 39:19, 41:16, 46:20, 56:2, 128:14, 140:10, 140:12, 141:12, 141:13, 143:10</p> <p>reflect [11] - 19:4, 20:24, 21:2, 21:5, 21:23, 22:5, 36:2, 36:6, 41:17, 46:21, 128:14</p> <p>refused [1] - 60:8</p> <p>refusing [4] - 44:5, 137:4, 139:2, 139:9</p> <p>regard [1] - 138:25</p> <p>regarding [2] - 35:8, 39:15</p>	<p>regular [2] - 112:5, 112:10</p> <p>related [1] - 143:13</p> <p>relationship [1] - 82:20</p> <p>relaxed [2] - 111:4, 111:5</p> <p>rely [1] - 123:17</p> <p>remember [73] - 10:20, 10:25, 11:8, 15:23, 15:24, 15:25, 16:4, 16:7, 16:10, 16:20, 17:2, 17:4, 17:16, 26:5, 27:3, 27:8, 27:10, 27:12, 28:22, 28:24, 29:8, 33:13, 36:17, 36:19, 37:19, 44:4, 49:18, 51:24, 51:25, 52:2, 52:5, 52:8, 52:9, 52:17, 53:21, 53:23, 56:4, 56:10, 57:13, 67:23, 68:18, 68:19, 73:8, 78:19, 91:23, 96:2, 100:20, 101:9, 101:13, 101:20, 101:23, 102:2, 104:20, 108:22, 111:10, 111:20, 113:14, 117:15, 117:18, 117:22, 118:4, 122:6, 123:6, 123:19, 126:20, 126:24, 127:14, 130:24, 131:5, 132:24, 132:25</p> <p>remembered [1] - 11:3</p> <p>remove [1] - 67:25</p> <p>removed [1] - 42:11</p> <p>Renato [6] - 69:15, 70:19, 70:23, 70:25, 71:2, 71:6</p> <p>renato [1] - 70:19</p> <p>Renato's [1] - 70:21</p> <p>rent [4] - 78:12, 78:14, 78:22, 81:8</p> <p>repeat [4] - 7:11, 8:5, 54:13, 59:25</p> <p>Reporter [1] - 1:24</p> <p>reporter [2] - 56:3, 140:5</p> <p>representation [1] - 19:7</p> <p>represented [1] - 18:19</p> <p>requested [1] - 55:25</p> <p>required [3] - 5:22, 9:23, 109:25</p> <p>reserved [1] - 3:10</p>	<p>respect [1] - 45:7</p> <p>respecting [2] - 45:6, 45:10</p> <p>respective [1] - 3:5</p> <p>response [121] - 5:12, 7:8, 7:22, 9:9, 9:11, 9:13, 10:2, 10:23, 11:20, 11:22, 11:25, 12:3, 12:5, 14:18, 15:5, 15:7, 15:14, 15:18, 16:12, 17:7, 18:3, 18:5, 18:7, 18:13, 19:19, 19:21, 19:23, 20:2, 20:20, 20:22, 21:8, 22:25, 31:14, 34:24, 35:24, 36:22, 41:13, 41:15, 44:19, 44:22, 46:14, 46:17, 46:19, 47:14, 47:17, 47:19, 48:18, 49:25, 50:5, 50:15, 51:2, 51:5, 51:18, 52:4, 52:16, 52:18, 54:9, 54:11, 57:16, 65:11, 66:11, 66:13, 66:15, 66:17, 66:19, 69:24, 76:17, 77:20, 77:24, 78:17, 79:14, 92:20, 93:24, 95:21, 105:13, 109:16, 109:20, 113:2, 113:8, 113:19, 113:21, 113:23, 114:3, 114:6, 117:4, 117:7, 117:9, 118:2, 119:19, 122:12, 122:14, 122:16, 122:18, 122:21, 122:23, 122:25, 123:14, 124:11, 125:3, 125:6, 125:8, 126:5, 126:13, 126:23, 127:2, 131:21, 132:3, 133:7, 133:21, 134:2, 134:4, 135:2, 135:4, 135:11, 135:16, 135:21, 135:23, 136:10, 136:13, 136:16, 136:18</p> <p>responsible [1] - 70:14</p> <p>return [1] - 61:8</p> <p>returns [6] - 34:22, 35:5, 35:8, 38:4, 38:11, 38:21</p> <p>review [2] - 11:13, 35:19</p> <p>rich [1] - 88:22</p> <p>rights [1] - 19:12</p> <p>RIVERA [1] - 1:5</p>	<p>Riverhead [1] - 136:2</p> <p>road [1] - 108:2</p> <p>Road [4] - 2:9, 80:16, 124:21, 125:15</p> <p>RODRIGUEZ [1] - 1:6</p> <p>role [1] - 19:12</p> <p>room [5] - 13:10, 22:13, 81:8, 93:6, 103:13</p> <p>roommate [1] - 91:6</p> <p>Rules [1] - 1:21</p> <p>rules [4] - 55:18, 97:8, 98:2, 98:5</p> <p>run [1] - 138:13</p> <p>S</p> <p>safe [1] - 57:12</p> <p>Salvador [11] - 17:14, 17:16, 26:10, 27:16, 28:3, 28:7, 28:10, 58:8, 58:10, 79:22, 133:24</p> <p>sandwich [1] - 72:10</p> <p>sandwiches [2] - 73:15, 73:18</p> <p>SAUL [1] - 2:20</p> <p>saw [2] - 23:3, 112:23</p> <p>school [14] - 58:2, 58:4, 58:10, 58:19, 58:20, 59:7, 59:9, 59:11, 59:12, 70:4, 79:21, 79:25, 83:19</p> <p>sealing [1] - 3:6</p> <p>second [1] - 22:6</p> <p>seconds [9] - 20:24, 21:3, 21:15, 36:7, 41:18, 41:21, 46:21, 47:2, 47:5</p> <p>secret [1] - 103:12</p> <p>Security [33] - 39:5, 39:10, 39:16, 40:10, 43:11, 43:13, 43:18, 43:19, 43:21, 43:24, 44:3, 48:5, 60:3, 60:13, 61:8, 124:25, 125:11, 125:21, 127:6, 127:9, 127:10, 127:12, 127:18, 128:2, 128:12, 129:19, 129:25, 130:12, 136:23, 136:25, 137:3, 139:13, 139:15</p> <p>see [14] - 11:17, 16:6, 16:19, 46:11,</p>	<p>52:10, 52:20, 108:7, 113:3, 124:12, 124:19, 124:20, 131:18, 135:10, 135:17</p> <p>September [9] - 133:22, 133:23, 135:8, 135:9, 135:18, 136:6, 136:12, 137:11, 137:14</p> <p>serve [1] - 91:25</p> <p>services [2] - 22:15, 22:17</p> <p>set [3] - 76:7, 143:7, 143:17</p> <p>shake [1] - 135:12</p> <p>shall [2] - 3:10, 140:9</p> <p>share [1] - 109:5</p> <p>SHEET [1] - 144:2</p> <p>sheet [3] - 69:23, 70:13, 70:15</p> <p>sheets [1] - 69:16</p> <p>shopping [3] - 16:24, 52:13, 117:21</p> <p>shoulder [5] - 26:25, 42:5, 47:11, 48:2, 48:8</p> <p>show [7] - 64:10, 112:7, 124:4, 131:16, 132:12, 132:17, 134:12</p> <p>showed [1] - 50:23</p> <p>shows [1] - 133:5</p> <p>side [2] - 135:13</p> <p>sight [1] - 84:12</p> <p>signed [2] - 3:13, 3:16</p> <p>Signed [1] - 141:21</p> <p>silly [4] - 54:3, 54:7, 54:18, 113:17</p> <p>simple [1] - 66:14</p> <p>sister [4] - 110:13, 114:8, 114:12, 129:21</p> <p>sisters [1] - 93:9</p> <p>sit [3] - 54:2, 54:15, 128:17</p> <p>site [8] - 74:18, 74:21, 98:10, 99:18, 100:6, 100:12, 100:18, 100:21</p> <p>sitting [2] - 42:3, 93:17</p> <p>six [3] - 111:16, 111:19</p> <p>sixteen [1] - 136:3</p> <p>sixty [1] - 122:3</p> <p>slate [1] - 12:14</p> <p>sleep [1] - 90:18</p> <p>slowest [1] - 116:16</p> <p>smart [2] - 55:6, 70:7</p>
---	--	--	--	--

<p>sneakers [1] - 115:5</p> <p>snow [2] - 67:25, 68:20</p> <p>soccer [8] - 16:6, 16:19, 52:10, 71:9, 71:11, 71:16, 71:17, 117:20</p> <p>Social [46] - 39:5, 39:9, 39:15, 40:9, 43:11, 43:13, 43:17, 43:19, 43:21, 43:23, 44:3, 48:5, 60:3, 60:13, 61:8, 124:25, 125:10, 125:19, 125:21, 126:9, 126:11, 126:15, 127:6, 127:9, 127:10, 127:12, 127:18, 128:2, 128:11, 129:19, 129:25, 130:12, 136:23, 136:25, 137:3, 137:6, 137:17, 137:22, 137:24, 138:3, 138:5, 138:16, 138:18, 139:11, 139:13, 139:15</p> <p>someone [1] - 88:16</p> <p>sometimes [35] - 26:16, 26:17, 28:8, 51:16, 51:23, 62:15, 62:16, 70:19, 70:20, 73:16, 73:19, 73:24, 74:3, 74:22, 86:6, 88:16, 89:2, 99:11, 99:15, 99:16, 99:22, 100:9, 100:13, 100:15, 102:7, 112:3, 115:15, 116:8, 119:21, 121:9, 122:3</p> <p>sooner [2] - 78:4, 122:20</p> <p>sorts [1] - 45:17</p> <p>sound [1] - 12:22</p> <p>sounds [1] - 31:10</p> <p>space [1] - 117:11</p> <p>Spanish [3] - 4:2, 4:5, 4:6</p> <p>specifically [1] - 41:5</p> <p>spell [1] - 110:5</p> <p>ss [1] - 141:5</p> <p>stare [4] - 78:2, 113:25, 114:5, 117:10</p> <p>stares [1] - 13:16</p> <p>staring [1] - 9:17</p> <p>start [6] - 20:4, 42:10, 45:8, 48:23, 52:19, 84:21</p> <p>started [7] - 37:19,</p>	<p>37:20, 37:22, 58:14, 66:22, 71:16, 91:15</p> <p>STATE [1] - 141:4</p> <p>State [4] - 1:25, 32:2, 141:23, 143:4</p> <p>state [3] - 4:14, 25:9, 26:5</p> <p>STATES [1] - 1:2</p> <p>States [5] - 26:6, 26:11, 32:3, 80:2, 81:14</p> <p>status [3] - 24:7, 24:11, 24:17</p> <p>staying [1] - 74:11</p> <p>step [2] - 12:9, 22:12</p> <p>stepped [1] - 25:9</p> <p>steps [1] - 39:24</p> <p>Steven [4] - 83:14, 83:15, 83:19, 83:24</p> <p>still [7] - 7:23, 17:23, 33:12, 34:6, 40:17, 67:15, 109:25</p> <p>stink [1] - 118:17</p> <p>stipulate [1] - 53:5</p> <p>STIPULATED [3] - 3:3, 3:8, 3:12</p> <p>stipulation [3] - 35:15, 35:19, 39:22</p> <p>stop [11] - 7:13, 27:2, 42:6, 44:25, 48:21, 53:17, 58:18, 58:20, 73:20, 73:23, 115:16</p> <p>stopped [3] - 58:13, 59:2, 114:24</p> <p>store [8] - 89:3, 89:5, 91:18, 91:21, 91:25, 92:3, 92:6, 92:10</p> <p>stores [1] - 92:7</p> <p>stories [1] - 77:17</p> <p>story [4] - 61:14, 75:15, 75:19, 76:2</p> <p>Street [4] - 4:18, 63:23, 63:25, 80:18</p> <p>street [1] - 80:15</p> <p>strongly [2] - 22:16, 35:18</p> <p>stub [14] - 51:9, 51:11, 121:20, 121:22, 122:4, 123:22, 124:19, 131:11, 132:10, 134:7, 134:24, 142:11, 142:13, 142:16</p> <p>stubs [6] - 31:6, 112:7, 112:8, 112:11, 112:14, 112:18</p> <p>subscribed [1] - 141:21</p> <p>sue [2] - 45:13, 45:15</p>	<p>SUFFOLK [1] - 1:11</p> <p>Suffolk [37] - 37:21, 37:23, 37:24, 37:25, 65:25, 66:5, 66:6, 66:7, 66:10, 66:22, 66:24, 67:2, 67:3, 67:6, 67:8, 67:13, 67:18, 67:22, 68:5, 68:8, 95:25, 97:22, 99:7, 104:4, 111:9, 111:18, 115:14, 115:23, 123:23, 124:19, 131:12, 134:8, 142:11, 142:13, 142:16</p> <p>SUFFOLK [1] - 1:11</p> <p>suggest [1] - 35:18</p> <p>suing [2] - 48:14, 50:9</p> <p>suit [2] - 56:16</p> <p>Sunrise [2] - 1:16, 2:18</p> <p>supposed [1] - 40:19</p> <p>supposedly [1] - 112:2</p> <p>suspect [1] - 22:9</p> <p>swore [1] - 31:25</p> <p>sworn [5] - 3:14, 3:16, 4:3, 4:9, 143:7</p>	<p>TESTIMONY [1] - 142:2</p> <p>Testimony [1] - 1:22</p> <p>testimony [7] - 7:3, 56:24, 123:18, 141:9, 141:13, 143:6, 143:10</p> <p>Texas [2] - 25:18, 26:2</p> <p>THAT [3] - 143:6, 143:9, 143:15</p> <p>THE [4] - 22:3, 95:10, 129:17, 138:15</p> <p>therefrom [2] - 35:7, 39:15</p> <p>thinking [8] - 12:4, 15:8, 18:8, 19:24, 23:2, 114:7, 114:11, 114:15</p> <p>thinks [1] - 53:18</p> <p>thirteen [3] - 58:12, 58:14, 58:15</p> <p>thirty [10] - 20:24, 36:6, 41:17, 47:5, 111:11, 111:12, 111:16, 111:19</p> <p>thirty-five [1] - 111:12</p> <p>thirty-four [2] - 111:11, 111:12</p> <p>thirty-six [3] - 111:16, 111:19</p> <p>threatened [1] - 6:3</p> <p>three [17] - 49:19, 66:23, 68:3, 73:21, 74:16, 83:18, 99:19, 99:25, 119:24, 119:25, 120:2, 120:8, 120:15, 120:23, 121:7, 122:5, 131:7</p> <p>Timberline [4] - 124:20, 125:15, 125:17, 134:21</p> <p>time-and-a-half [2] - 111:25, 112:3</p> <p>tire [1] - 28:9</p> <p>TO [1] - 142:2</p> <p>today [25] - 4:21, 5:3, 5:16, 6:19, 6:22, 7:3, 7:7, 7:21, 8:9, 18:19, 19:15, 19:17, 20:8, 22:24, 23:10, 32:16, 50:7, 55:4, 55:18, 71:20, 71:23, 91:8, 112:12, 116:22, 127:15</p> <p>today's [3] - 64:12, 124:13, 134:13</p> <p>together [7] - 70:12, 75:15, 75:22, 76:6, 76:22, 84:16, 106:18</p>	<p>Tommy [7] - 99:8, 99:9, 104:2, 104:3, 104:5, 104:6, 104:8</p> <p>tongue [1] - 135:14</p> <p>tonight [1] - 108:3</p> <p>took [2] - 13:6, 65:16</p> <p>tortilla [1] - 29:15</p> <p>tortillas [1] - 29:10</p> <p>touch [2] - 28:12, 48:8</p> <p>tough [1] - 137:9</p> <p>track [1] - 68:21</p> <p>train [2] - 23:20, 23:22</p> <p>transcript [3] - 141:9, 141:11, 143:9</p> <p>tree [5] - 14:10, 52:2, 57:23, 101:14, 123:8</p> <p>trial [1] - 3:11</p> <p>TRIAL [1] - 1:18</p> <p>tried [1] - 96:14</p> <p>trouble [3] - 42:21, 92:23, 93:19</p> <p>truck [1] - 74:18</p> <p>trucks [2] - 73:17, 74:7</p> <p>true [6] - 61:15, 75:18, 76:9, 141:12, 141:14, 143:9</p> <p>truth [10] - 32:3, 32:6, 75:13, 75:20, 76:3, 84:19, 84:20, 87:8, 87:10, 95:6</p> <p>truthful [3] - 7:3, 7:7, 7:21</p> <p>truthfully [1] - 8:9</p> <p>trying [5] - 11:9, 24:6, 24:8, 45:2, 123:10</p> <p>TULIO [1] - 1:6</p> <p>twenty [5] - 59:3, 59:4, 136:2, 136:3, 136:21</p> <p>twenty-four [3] - 136:2, 136:3, 136:21</p> <p>twenty-one [1] - 59:4</p> <p>twice [3] - 68:2, 68:16, 71:14</p> <p>two [65] - 8:21, 15:21, 16:2, 16:5, 16:8, 16:11, 16:16, 16:20, 17:4, 36:20, 45:4, 51:25, 52:11, 52:21, 53:13, 56:5, 56:8, 56:11, 56:13, 56:24, 57:3, 57:13, 65:9, 66:23, 68:2, 68:18, 73:9, 73:21, 74:15, 77:16, 81:13, 82:16, 83:18, 99:19,</p>
--	---	--	--	--

99:24, 100:17, 100:24, 101:3, 101:7, 101:10, 104:14, 108:20, 112:4, 113:5, 113:14, 116:22, 117:2, 117:14, 117:22, 119:24, 120:8, 120:15, 120:23, 121:7, 122:5, 122:11, 122:13, 122:17, 123:7, 123:13, 130:20, 131:2, 131:7, 132:23 two-and-a-half [1] - 53:13	18:3, 18:5, 18:7, 18:13, 19:19, 19:21, 19:23, 20:2, 20:20, 20:22, 22:25, 31:14, 34:24, 35:24, 36:22, 41:13, 41:15, 44:19, 44:22, 46:14, 46:17, 46:19, 47:14, 47:17, 47:19, 48:18, 49:25, 50:5, 50:15, 51:2, 51:5, 51:18, 52:4, 52:16, 52:18, 54:9, 54:11, 57:16, 65:11, 66:11, 66:13, 66:15, 66:17, 66:19, 69:24, 76:17, 77:20, 77:24, 78:17, 79:14, 92:20, 93:24, 95:21, 105:13, 109:16, 109:20, 113:2, 113:8, 113:19, 113:21, 113:23, 114:3, 114:6, 117:4, 117:7, 117:9, 118:2, 119:19, 122:12, 122:14, 122:16, 122:18, 122:21, 122:23, 122:25, 123:14, 124:11, 125:3, 125:6, 125:8, 126:5, 126:13, 126:23, 127:2, 131:21, 132:3, 133:7, 133:21, 134:2, 134:4, 135:2, 135:4, 135:11, 135:16, 135:21, 135:23, 136:10, 136:13, 136:16, 136:18 Victor [2] - 95:17, 95:19 Victor's [2] - 95:24, 114:8 visit [1] - 27:24 voice [3] - 44:17, 46:6, 132:20	WALTER [1] - 1:4 Walter [1] - 99:15 wants [1] - 23:17 wash [1] - 16:22 wasted [1] - 132:6 watch [1] - 93:8 watching [1] - 116:11 week [8] - 8:20, 50:13, 50:20, 58:10, 119:18, 120:9, 122:3, 137:19 weeks [44] - 8:21, 15:21, 16:2, 16:5, 16:8, 16:11, 16:16, 16:21, 17:4, 36:20, 51:25, 52:11, 56:5, 56:8, 56:11, 56:13, 56:25, 57:4, 57:13, 65:9, 73:9, 100:24, 101:3, 101:7, 101:10, 104:14, 104:21, 108:20, 113:5, 113:14, 116:22, 117:2, 117:14, 117:22, 120:7, 120:14, 122:11, 122:13, 122:17, 123:7, 123:13, 130:20, 131:2, 132:23 weigh [1] - 105:15 weight [4] - 65:4, 65:5, 65:14, 65:15 Wendy [39] - 81:2, 81:23, 82:6, 82:14, 82:16, 82:20, 82:23, 83:23, 84:3, 85:3, 85:12, 85:15, 85:20, 86:2, 86:25, 87:7, 87:15, 87:16, 87:19, 87:22, 101:22, 102:6, 102:23, 103:9, 105:6, 105:7, 105:18, 105:23, 106:2, 106:4, 108:18, 108:25, 109:2, 109:3, 110:9, 110:19, 110:23, 114:22 Wendy's [1] - 108:22 West [1] - 2:10 WHEREOF [1] - 143:17 Whistling [1] - 44:23 whistling [1] - 44:25 white [12] - 86:6, 88:16, 94:6, 94:7, 94:13, 106:20, 106:22, 107:3, 107:5, 107:14, 107:16, 136:14	whole [2] - 23:3, 100:17 wife [12] - 81:20, 83:2, 89:8, 89:11, 89:14, 91:11, 91:13, 93:22, 102:23, 105:2, 105:7 willing [2] - 91:5, 91:7 wiseguy [1] - 46:15 wish [1] - 144:3 Witness [1] - 4:8 WITNESS [6] - 22:3, 95:10, 129:17, 138:15, 142:3, 143:17 witness [13] - 9:22, 23:25, 25:16, 44:25, 48:22, 49:14, 53:8, 64:15, 85:7, 130:11, 139:22, 143:6, 143:11 woman [1] - 90:12 women [4] - 81:3, 81:25, 89:6, 103:13 wonderful [1] - 35:3 workday [1] - 100:3 workers [1] - 30:4 world [2] - 93:21, 94:5 worry [2] - 103:10, 113:17 worth [1] - 132:7 wrap [1] - 85:22 write [5] - 59:22, 69:18, 69:23, 70:10, 78:21 writing [2] - 35:13, 70:15 wrote [1] - 129:17	143:4 YORK [2] - 1:2, 141:4 yourself [5] - 42:21, 45:14, 107:15, 138:8, 138:10
U			Z	
under [6] - 31:22, 31:25, 39:5, 45:3, 52:21, 141:10 understood [2] - 49:23, 82:3 union [10] - 97:4, 97:6, 97:8, 97:23, 98:4, 98:7, 98:9, 98:12, 98:17, 98:19 UNITED [1] - 1:2 United [5] - 26:6, 26:11, 32:3, 80:2, 81:14 university [1] - 59:14 unless [3] - 27:3, 47:10, 47:24 up [13] - 12:15, 15:15, 61:3, 74:21, 74:24, 75:5, 76:20, 85:23, 93:16, 100:2, 128:14, 129:4, 135:12 upset [1] - 98:21 urge [1] - 32:15 utilize [1] - 39:24			Zabell [1] - 142:4 ZABELL [67] - 2:17, 2:20, 4:13, 7:9, 9:15, 12:6, 12:20, 12:22, 12:25, 13:3, 19:3, 20:23, 21:12, 21:22, 22:4, 24:4, 24:6, 24:12, 24:19, 25:3, 26:13, 35:11, 35:25, 36:5, 39:19, 41:16, 41:21, 41:23, 43:5, 45:2, 46:20, 46:24, 47:5, 48:23, 49:4, 49:8, 49:12, 49:15, 52:19, 52:23, 53:2, 53:9, 53:16, 54:14, 54:21, 55:23, 77:13, 84:10, 84:15, 85:9, 85:24, 109:21, 118:6, 128:13, 128:18, 128:22, 129:16, 129:20, 130:4, 138:12, 138:17, 138:23, 139:5, 139:9, 139:23, 140:3, 140:9	
V			Y	
van [3] - 27:6, 27:10, 28:8 VECCHIA [3] - 1:11, 1:12 Vecchia [2] - 2:24, 13:9 VEGA [1] - 1:6 verbal [120] - 5:12, 7:8, 7:22, 9:9, 9:11, 9:13, 10:2, 10:23, 11:20, 11:22, 11:25, 12:3, 12:5, 14:18, 15:5, 15:7, 15:14, 15:18, 16:12, 17:7,	W wait [4] - 89:10, 113:25, 128:7 waited [2] - 132:5, 140:6 waiting [5] - 18:6, 34:25, 85:10, 113:20, 113:22 waived [1] - 3:7 walk [2] - 46:9, 139:6 walked [3] - 26:17, 26:18, 28:9 WALLACE [1] - 2:13		yard [6] - 74:19, 74:22, 74:25, 99:14, 99:25, 100:19 year [6] - 28:17, 58:10, 63:3, 64:2, 68:19, 131:25 years [3] - 24:13, 24:22, 58:12 yell [1] - 93:12 yelling [1] - 48:21 yoo [1] - 44:20 yoo-hoo [1] - 44:20 York [20] - 1:16, 1:25, 2:5, 2:10, 2:14, 2:19, 4:19, 25:13, 25:14, 26:4, 26:19, 28:4, 28:10, 28:17, 32:2, 124:21, 141:23,	